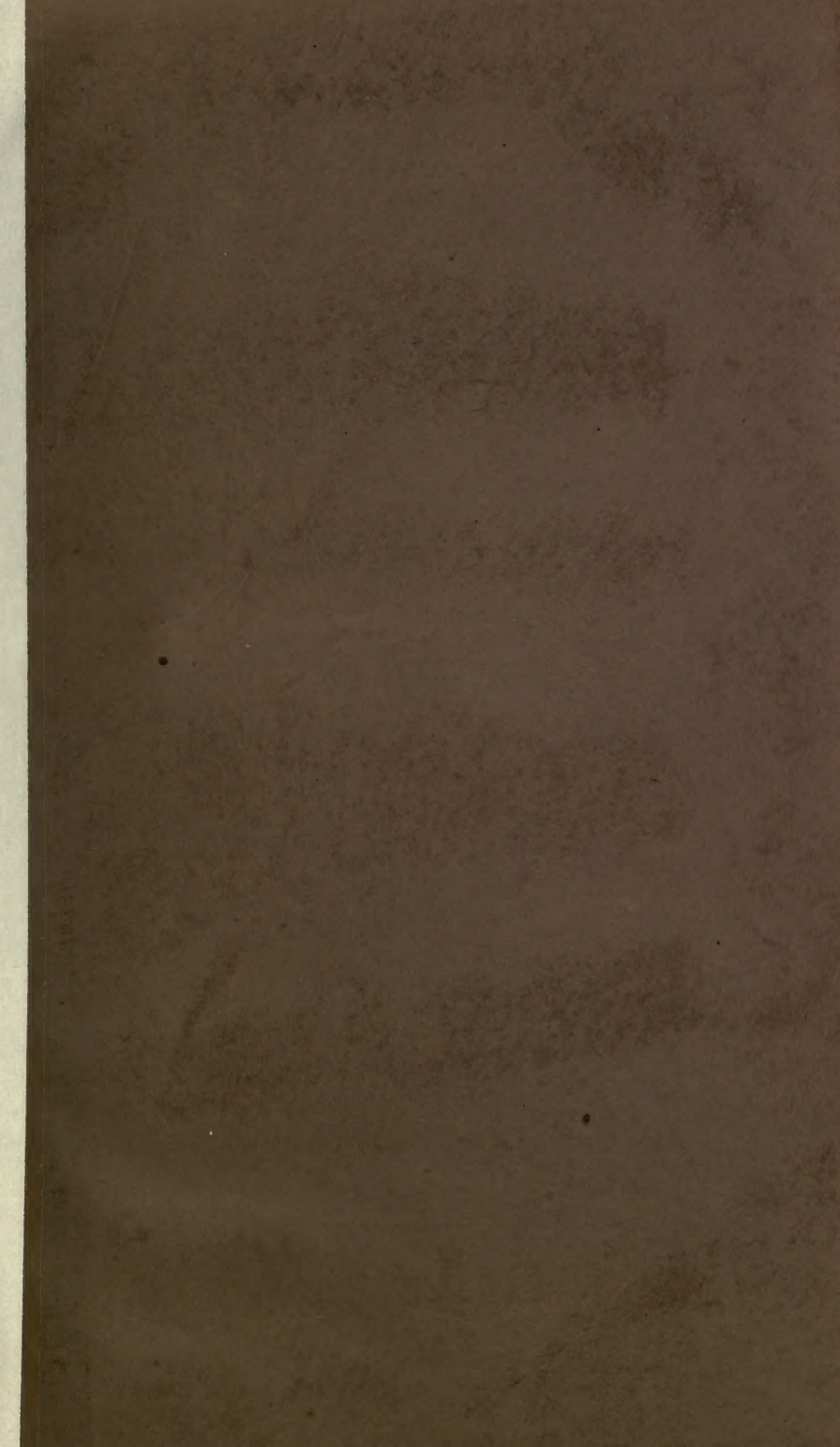
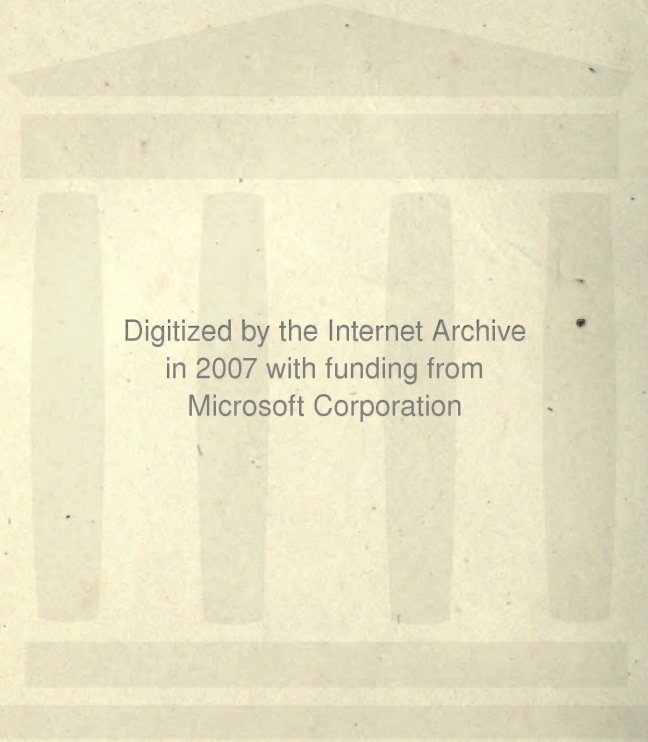




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HISTORY OF ENGLAND.

VOL. II.

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THE  
HISTORY OF ENGLAND

FROM  
THE EARLIEST TIMES

TO  
THE FINAL ESTABLISHMENT OF THE REFORMATION:

BY  
THE RIGHT HONOURABLE  
SIR JAMES MACKINTOSH.

A NEW EDITION, REVISED BY THE AUTHOR'S SON,

R. J. MACKINTOSH, ESQ.

IN TWO VOLUMES.—VOL. II.

LONDON:  
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# HISTORY OF ENGLAND.

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## CHAP. VIII.

### HENRY THE EIGHTH TO THE REFORMATION.

HENRY THE EIGHTH ascended the throne of England on the day of his father's death. He was the first prince for more than a century who ruled the kingdom with an undisputed title. Every other monarch, since the deposition of Richard the Second, had been accounted an usurper by a portion of the people. Henry united in himself the titles of York and Lancaster. He had no visible competitor for the crown, nor was he disquieted by the shadow of a pretender; for the descendants of John of Gaunt through the royal families of the Spanish peninsula never having disturbed England by setting up pretensions, cannot with propriety be called pretenders. Their claims, forgotten perhaps by themselves, and obstructed by the formidable impediments of distance and language, were scarcely legible by the keen eye of the most peering genealogist.\*

Henry was crowned at eighteen; a period of life which a bystander naturally regards with indulgence,

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April 20.

\* John of Gaunt's eldest daughter Philippa was queen of Portugal. His third daughter Catherine was queen of Castile. Her grand-daughter Isabella was the wife of Ferdinand of Aragon. The heirs of these princesses may, perhaps, be found in

the houses of Braganza and Austria. Their blood flows in the veins of most of the reigning families of Europe. (Sandford, Genealogical History of the Kings of England, pp. 248. 256. 260.)



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with hope, and with a warm sympathy. The cure of youthful disorders was looked for in experience; and though his youth unfitted him for the arduous duties of royalty, such considerations cannot consistently be allowed to have much weight in a hereditary government. The prospect of the length of his reign was enough to deter the timid and the selfish from incurring his displeasure, and disposed the greater number of courtiers and statesmen to vie with each other in eagerness for the favour of a master whom few of them could hope to survive. The description of him, ten years after his accession, by the Venetian minister in London, shows the lively impression made on grave personages by the gifts and graces with which nature had loaded the fortunate and not unaccomplished youth. "His majesty is about twenty-nine years of age, as handsome as nature could form him, above every other Christian prince; handsomer by far than the king of France [Francis the First, then in the flower of youth], he is exceeding fair, and as well proportioned in every part as possible. He is an excellent musician and composer, an admirable horseman and wrestler, and possesses a good knowledge of the French, Latin, and Spanish languages. On the days on which he goes to the chace he hears mass three times; on other days he goes as often as five times. He has daily service at vespers in the Queen's chamber. He is uncommonly fond of the chace, and never engages in it without tiring eight or ten horses. He takes great delight in bowling; and it is the pleasantest sight in the world to see him engaged in this exercise, with his fair skin covered with a beautifully fine shirt. Affable and benign, he offends none. He often said to the ambassador, 'I wish every one was content with his condition; we are content with our islands.' He is very desirous of preserving peace, and possesses great wealth." Yet even in his golden age, closer and keener observers had remarked, that "he is

a prince of royal courage, and hath a princely heart, and rather than he will miss or want any part of his will or appetite, he will put the one half of his reign in danger. I warn you to be well advised what matter ye put in his head, for ye shall never put it out again." \*

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No historian has failed to relate what was originally told by Paola Sarpi, that Henry the Seventh had educated his second son for the Church, in order to provide for him amply without charge to the crown, to leave a passage open to an ambition (of which a father more shrewd than fond already perhaps had descried the seeds), which, with safety to the quiet of England, might be thus turned towards the papal tiara. A writer †, who did not allow his matchless acuteness as a metaphysician to disturb the sense and prudence which are more valuable qualities in a historian, has deplored the time wasted by the royal youth on the writings of Aquinas; rightly, if the acquirement of applicable knowledge be the sole purpose of education; but not so if any other study could have less strengthened and sharpened his reasoning powers.

His council was composed, by the advice of the countess of Richmond, his grandmother, of a judicious selection of his father's least obnoxious ministers. Archbishop Morton, chancellor; Bishop Fox, secretary; Surry, the treasurer; Shrewsbury, the high steward; Somerset, the chamberlain; Lovel, Poynings, Marney, and Darcy, with Ruthall, doctor of civil law. It is remarked as a singularity by Lord Herbert, that his council contained no common lawyers; perhaps from the odium brought upon the profession by Dudley and Empson, which alienated the King from them during the early part of his reign, though he was always glad to find a pretext, if he could not discover a ground, for his measures in the common law.

The solemnities of his father's funeral having been

\* Cavendish's Life of Wolsey, sub anno 1519.

† Hume.

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completed, he was now to determine, before his coronation, whether he should fulfil the nuptial engagement with his brother's wife, against which he had secretly protested, in order to reserve to himself the liberty of a more active dissent in due season. It is hard to suppose that any serious deliberation should have arisen on the question of fulfilling a sacred engagement with a blameless princess, the richly portioned daughter of a powerful monarch, then probably the most natural and useful ally of England. If any doubt had previously occurred as to the validity of the marriage, the last moment for trying the question was now come. Faith and honour, if not law, required that acquiescence in its legality at this moment should be deemed to silence all objection for ever. Ample time had been allowed for a thorough examination of scruples, for the dispensation of Pope Julius had been in England six years.

Henry and Catharine were finally joined in wedlock about six weeks after his father's demise. They were crowned soon after, with a splendour which those who are curious about the shows and manners of that age will find painted by the chroniclers.\*

When Dudley and Empson were brought before the council, the latter is reported to have delivered a speech abounding in the ingenious turns of a rhetorician, but glaringly defective in whatever constitutes an effective defence, and even without that resemblance to it which dramatic propriety would require in the mouth of a man earnestly contending for his life. The substance of his speech consisted in a complaint that he was now prosecuted for obeying and causing others to obey the laws; to which it was answered, "that he should be brought to trial only for passing the bounds of his commission, and for stretching laws in themselves very severe."† From these charges, however, it was discovered that no ingenuity could extract a capital accusation; and per-

\* Hall. Holinshed. † Kennett, *History of England*, vol. iii. pp. 3—5.



haps the ministers were ashamed of bringing men to the scaffold for acts at which they had themselves connived, if they did not actually share them with their late colleagues. It was therefore thought fit to indict them for a conspiracy, during the last illness of Henry, to seize on London with an armed force, and to assume the powers of government as soon as his demise should have been known. Of the conspiracy, which, if true, would certainly amount to treason, they were both convicted; and a bill for their attainder was brought into the next parliament. It passed the house of peers in two days, without the appearance of dissent from one man, in an assembly composed of thirty-six temporal and forty-seven spiritual lords, under circumstances in which it is hard to suppose that the majority did not consider the charge as incredible. It was, perhaps, intended to secure the delinquents by the excessive severity of the punishment. They were suffered to remain in jail for some months; but the people raised a loud and honest, but fierce, cry against them for their real crimes. There are none who are held in such just contempt by an arbitrary government as their own tools. The ministers, regarding the lives of the extortioners as formally forfeited, thought the sacrifice of their heads a cheap mode of appeasing the multitude, who in reality demanded justice only, but, being ignorant of what was or ought to be law, gave occasion to the infliction of an unjust death for an imaginary crime. The speedy reversal of the attainders, on the petitions of their sons, seems to show the general belief of the groundlessness of the charge of conspiracy.

Louis the Twelfth, otherwise a good prince, though his character has been injured by undue praise, was, like his predecessor, allured by visions of conquest in Italy, which was then called "the grave of the French." A regard to the principle of preventing a state from unjustly so aggrandising itself as to endanger its neighbours, had been shown among the subtle politicians of

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Italy before it had attracted much attention from the great Transalpine monarchs, too powerful, turbulent, and improvident to think much of distant and uncertain danger. The petty usurpers and declining commonwealths of Italy, like those of ancient Greece, whose contracted territory daily exposed them to a surprise of their capital and the loss of their independence, were under the necessity of jealously watching the slightest vibration in the scales of the balance. Their existence might be hazarded by a moment's slumber. Among them, therefore, the balancing policy became the cause of some wars, and the pretext for others. Under this colour, Julian de la Rovere, a politic and ambitious pontiff, found it easy to rouse the envy of the European sovereigns against Venice, on whose riches and grandeur they looked with all the passions kindled in the minds of freebooters by the view of their spoil. The code of Venetian policy was, indeed, as faithless and merciless as the administration of the Transalpine monarchs; but the councils of the republic were more considerate and circumspect; they checked all needless cruelty, confined their tyranny to those who intermeddled with the affairs of government, and protected from wanton oppression those whose industry was the basis of their grandeur. Such was the terror and hatred inspired by the power of this renowned republic, that there were allied against her the Pope and the Emperor, the Kings of France and Spain, and the government of Burgundy. The avowed object of the league of Cambray, the first treaty which was the joint act of the representatives of all Christian princes, was to require the republic to restore all her conquests, without any suggestion of the same restitution on the part of the allied powers. Venice, thus attacked by all Christendom, made a manful stand, confident that, if she could bear the first shock, a coalition composed of such discordant elements would crumble to pieces of itself. After their

best army had been routed, the Venetians suddenly recalled their garrisons from the fortresses on the main land, and released their continental subjects from their allegiance; limiting themselves to the dominion of the sea, and the defence of the native marshes which had been the shelter of their infant independence. It is uncertain whether this measure arose from panic, or from a generous despair, which might see a glimpse of hope in this species of appeal to the people, or from the sagacity of those whom they called "sages," who were likely to have foreseen that the desertion of the continent might excite the animosities incident to the division of rich spoils, and inspire the allies with mutual apprehensions of one another. The people of the Venetian provinces manifested an unexpected attachment to the republic, especially after experience of the effects of invasion; and the allies became daily more fearful that some of themselves might be dangerously aggrandised. Louis, master of the Milanese, felt a strong temptation to strengthen his territory by seizing on the neighbouring part of the Venetian dominions. Neither Ferdinand nor Henry had any interest in the destruction of the republic. The emperor had at one time collected a vast army, and threatened to reconquer Italy, of which he held himself to be the legitimate sovereign. But poverty had dispersed his troops, and exposed his pretensions to ridicule. Julius gradually caught more natural and generous sentiments; which disposed him to promote a league for the expulsion of the barbarians from Italy. With this view he sought the aid of the Swiss, a brave and hardy people, who, though weak in men-at-arms, hitherto the main strength of armies, were celebrated for their excellent infantry, a species of force of which the growing importance indicated the progressive improvement of the art of war. The war which sprang from the "league of Cambray" languished under various forms for five years, when it was closed



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by treaties restoring nearly all her territories to Venice. From this moment, however, her greatness began to decline. A blow had been struck at her fame, which had fatally affected her vigour. The cost of the defence had emptied her coffers; and the opening of the trade with India was drying up the sources from which they were wont to be replenished.

These Italian wars were the first events in which all the nations of Europe had been engaged since the crusades. The civil wars of England had ceased: the great feudatories of France had become subjects: the nations of the Spanish peninsula had been released, by the reduction of Granada, from their natural task of watching over Mussulman ambition. At the same time, the contests of the houses of Aragon and Anjou for Naples were leading Spanish and French armies into Italy, where hostilities were afterwards kept up by the pretensions of the royal families of Valois and Orleans to the succession of the duchy of Milan. The jealousy of England was beginning to be excited by schemes of conquest on the part of her ancient ally. Maximilian was shining at the head of German and Burgundian hosts; but his lustre was momentary, and his victories were barren. The nations of Europe were thus, however, mingling, and beginning to form more complicated ties with each other than in any former age. The period which followed would have been remarkable, if it had only been distinguished by rulers so memorable, in various respects, as Leo the Tenth, Charles the Fifth, Francis the First, and Henry the Eighth.

The counsels of Henry were divided in opinion, if we may believe Lord Herbert, concerning the fitness of the time for an attack on France. But, according to that historian's own account of the debate of the council, the arguments against the pursuit of this disastrous chimera preponderated. The blessing of the Pope; the aid of Ferdinand; the possibility of succour from Maxi-

milian; and the pre-occupation of Louis in Italy, were the only reasons assigned for the renewal of a war for the conquest of France; a project still more visionary than the French schemes of aggrandisement beyond the Alps. On the other hand it was unanswerably urged \* — “if, when Gascony and Normandy were ours, when the duke of Brittany was our friend, and the house of Burgundy our assured ally, we could not advance our designs in that kingdom, what hope is there now to attain them? What though with twelve or fifteen thousand we have defeated their fifty or sixty thousand men? Stands it with reason of war to expect the like success still, especially since the use of arms is changed, and for the bow (proper for men of our strength) the caliver (or arquebus) begins to be used? a more costly weapon, requiring longer practice, and capable of being used by the weakest. If we must enlarge ourselves, let it be by the road which Providence seems to have appointed for us, by sea. The Indies are discovered, and vast treasures brought from thence; let us bend our endeavours thitherward. If the Spaniard and Portuguese suffer us not to join them, there will yet be region enough for all to enjoy.” This was probably the earliest debate in an English council, on the often discussed question, whether Great Britain should aim at continental dominion, or confine her ambition to maritime greatness and colonial empire. The boyish vanity of Henry, however, was moved by the title of “most christian,” held out by the Pope. He sent Young, therefore, the master of the rolls, with a message demanding his inheritance of Gascony, and in case of refusal, denouncing war. The league against France had received from the Pope the title of the “Holy Alliance.” Ferdinand prevailed on the English monarch to send his troops to Biscay, in order that the two nations might co-operate in the war. The marquess of Dorset accord-

\* Lord Herbert, History of Henry the Eighth, p. 8.

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ingly landed in Biscay with ten thousand troops, of whom half, though archers, carried also halberts, which they flung on the ground till their arrows had been shot, and then took up again. They were to have been joined by a Spanish army of one thousand men-at-arms, fifteen hundred light horse, and six thousand infantry, commanded by the duke of Alva. Ferdinand, however, began to allege that it was impossible to cross the Pyrenees till Navarre had been secured. This exposed the invaders to have their communications cut off, making their retreat dependent on the faith of Jean d'Albret, the sovereign of that small kingdom, who had been excommunicated by the Pope as an abettor of Louis. Louis had required this border prince to declare for France, under pain of confiscation of the province of Bearn, a fief of the French crown on the northern side of the Pyrenees. Ferdinand required the like declaration in his favour, with a threat that if it were refused he must secure himself by the seizure of Navarre; amusing Lord Dorset the while with promises of the immediate advance of the duke of Alva and the Spanish forces. Ere long he took possession of Navarre, which is still subject to his successors. The English army, however, unused to discipline, worn down by intemperance\* and disease, weary of Spanish procrastination, and negligently supplied with arms and provisions, exclaimed against the treachery of their allies, and with loud cries required their leaders to reconduct them to England. They had made their condition worse, by burning and destroying the country. Discord broke out among their chiefs, some of whom went to England to represent the necessity of a recal. The King in vain sent a herald to command the army to remain in Spain: discontent swelled into mutiny; and the reluctant lead-

\* "The Englishmen, for the hot fruits, whereby they fell sick, most part, were victualled with garlick, and drank hot wines and ate and more than eight hundred died." —Stowe, sub anno.



ers were compelled to return. Ferdinand still professed his resolution to adhere to treaties, and to prosecute the invasion of Gascony. But the English minister sent with the army expressed the general sentiment concerning him in a few significant words: "The king of Aragon is determined always against a good conscience."\* In the ensuing year, Sir Edward Howard, the admiral, who thought no man fit to command at sea who was not almost mad, after ravaging the coasts of Brittany, fought an action with a French squadron, of which the most remarkable result was the explosion of one of the English ships, accounted the largest vessel then in Europe. Henry pursued his warfare with more success on the north-western frontier of France. He defeated the French army in an engagement afterwards called, in mockery of the vanquished, the "Battle of Spurs." Terouenne and Tournay surrendered.

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But the most important event connected with this war belongs to Scottish history. James the Fourth, king of Scotland, was, like his forefathers, easily tempted by French counsels to an irruption into England, which Henry had seemed to desert for continental aggrandisement. The earl of Surrey, commander of the English army on the borders, however, brought the Scots to action at Flodden Field, where they were defeated with extraordinary slaughter. Among those who fell on that disastrous day were, the king, a prince of more than usual value to his army and people; his natural son, Alexander Stewart, the primate, a favourite pupil of Erasmus; with twelve earls, thirteen lords, and four hundred knights and gentlemen; in which number we find, in that age without surprise, the bishop of the Isles, and the abbots of Kilwinning and Inchaffray. So great a loss among the higher class seems to denote a carnage from which a narrow and disordered country was not likely soon to recover. Margaret Tudor was

Sept. 7.

\* Ellis's Letters, second series, vol. i. p. 207. (Knight to Wolsey.)

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VIII. husband's place. Her subsequent life was dissolute and  
1513. agitated. She early displeased her brother by a marriage with the earl of Angus, the head of the potent house of Douglas; and her grandchildren, by two husbands, Mary Stuart and Lord Darnley, were afterwards doomed to a fatal union.

The fate of James, together with the general exhausted and languid state of Europe, disposed Henry and Louis to peace. It was facilitated by the death of Anne of Brittany, which enabled the latter to cement the treaty by marriage, in his fifty-third year, with Mary Tudor, one of the most beautiful young women of the time, at the immature and unbecoming age of fourteen. She was conducted to the court of France by Charles Brandon, a favourite of the king, who had created him duke of Suffolk; a handsome youth, audacious enough himself to pay court to the princess. Louis received her with doting fondness. He died, however, a few weeks after the marriage. Brandon openly renewed his court, upon which Henry intimated to Mary, that, if she must wed Brandon, the best way was to offend first, and beg forgiveness afterwards. By this marriage she became the stock of a body of claimants to the crown, who, notwithstanding the brief occupation of the throne by Lady Jane Grey, have not usually been numbered among pretenders to it.

Thomas Wolsey had risen to trust and employment under Henry the Seventh. After the return of his son from his French campaign, the administration of that celebrated person began, which rapidly grew to be a dictatorship. It was overthrown only by the first shock of the religious revolution which has rendered this reign memorable. It is peculiarly difficult to form a calm estimate of a man to whose memory the writers of the two ecclesiastical factions are alike unfriendly; the catholics, for sacrifices by the minister to the favourite

objects of his sovereign; the protestants, for the unwillingness of a cardinal to renounce the Church, and to break altogether with the Pope. Wolsey was of humble parentage, but not below the benefits of education. In that age the Church was, what the law has become in modern times, the ladder by which able men, of the lowest class to which the opportunities of liberal education reached, climbed to the highest stations. The rank attained by friars of the mendicant orders seems indeed to warrant us in ascribing a wider extension to this democratical principle of the middle age than to those which have succeeded it. He had many of the faculties which usually lead to sudden elevation, and most of the vices which often tarnish it. Pliant and supple towards the powerful, he freely indulged his insolence towards the multitude, though often kind and generous to faithful followers and useful dependants. The celibacy of his order stood in the way of accumulation of fortune. He was rapacious, but it was in order to be prodigal in his household, in his dress, in his retinue, in his palaces; and, it must be added in justice to him, in the magnificence of his literary and religious foundations. The circumstances of his time were also propitious to his passion of acquiring money. The Pope, the Emperor, the Kings of France and Spain, desirous of his sovereign's alliance, outbade each other at the sales of the minister's influence. His preferment was too enormous and too rapid to be forgiven by an envious world. Born in 1471, he became bishop of Tournay in 1513, of Lincoln and archbishop of York in 1514. In 1515 he received a cardinal's hat, and in the same year succeeded Archbishop Warham in the office of chancellor. In 1519 he was made papal legate, with the extraordinary power of suspending the laws and canons of the Church. His expectations of the Papacy itself did not appear extravagant. His passion for shows and festivities, not an

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uncommon infirmity in men intoxicated by sudden wealth, perhaps served him with a master, whose ruling folly long seemed to be of the same harmless and puerile nature. He encouraged and cultivated the learning of his age; and his conversations with Henry on the doctrines of their great master Aquinas are represented as one of his means of pleasing a monarch so various in his capricious tastes. He was considered as learned: his manners had acquired the polish of the society to which he was raised: his elocution was fluent and agreeable: his air and gesture not without dignity. He was careful, as well as magnificent, in apparel. His administration of justice as chancellor has been celebrated by those who forget how simple the functions of that office probably then were; and his rigid enforcement of criminal justice appears only to have been a part of that harsh but perhaps needful process by which the Tudor princes rather extirpated than punished criminals. As he was chiefly occupied in enriching and aggrandising himself, or in displaying his power and wealth, objects which are promoted either by foreign connections or by favour at court, it is impossible to determine what share of the merit or demerit of internal legislation ought to be allotted to him. His part in the death of the duke of Buckingham was his most conspicuous crime; yet, after all, it is probable that he was no worse than contemporary statesmen. The circumstance most favourable to him was the attachment of his dependants.

This year, the lower labourers of London being offended that their customers were won from them by the diligence and industry of strangers, instigated by Bell, a preacher, and led by Lincoln, a broker, rose in revolt for the destruction of foreigners, some of whom they killed, while they burnt the houses of others. They were subdued after some resistance. Of nearly three hundred prisoners, five were hanged, drawn, and quar-

tered, ten hanged, and the rest, in white shirts and with halters round their necks, were led before the King at Westminster, surrounded by his principal nobles, where, on their knees, they craved mercy, and received it. The King graciously permitted the gibbets, which much scandalised the citizens, to be taken down.

The interview of Henry with Francis, between Ardres and Guignes, this year, has been so frequently described, and is so well known as a characteristic specimen of the pomps and sports of that age, that it would be perhaps unnecessary to mention it in this place, if it were not an instance of the assiduous address with which the continental princes sought to ingratiate themselves with Henry. Influenced by these motives, Charles paid his personal court to Henry at Dover, when that monarch was on his journey to the tournament on the "Field of the Cloth of Gold," as it was called. The kings of France, England, and Spain had been candidates for the imperial throne on the death of Maximilian in the previous year. Henry was amused by his competitors with expectations and excuses; but not seriously considered as a competitor by any of them. Charles, who was the successful candidate, now made his visit of parade to Dover, partly to soothe the wounded vanity of the English King. He was, however, not able by this courtesy to prevail on Henry to abandon the jousts which were to be celebrated at the ensuing meeting.

About the time of these festivities and amusements, a crime was perpetrated, which might be considered as the first of the King's offences, if it ought not rather to be ascribed to the revenge of Wolsey. Edward Stafford, duke of Buckingham, was the fifth in descent from Anne Plantagenet, daughter and heiress of Thomas of Woodstock, the youngest son of King Edward the Third. The line of his pedigree is marked in civil blood. His father was beheaded by Richard the Third: his grandfather was killed at the battle of St. Alban's: his great-grandfather

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at the battle of Northampton; and the father of this last again at the battle of Shrewsbury. More than a century had elapsed since any head of this great family had died a natural death; a fact which sufficiently characterises the age. Edward was doomed to no milder fate than his forefathers. Knyvett, a discarded officer of his household, furnished information to Wolsey, which led to the apprehension of his late master. As those who are perfidious must submit to the suspicion that they are also false, it may be safely assumed that Knyvett gave the darkest colour to whatever unguarded language might have fallen from his ill-fated lord. The most serious charges against the duke were, that he had consulted a monk about future events; that he had declared all the acts of Henry the Seventh to have been wrongfully done; that he had told Knyvett, that if he had been sent to the Tower when he was in danger of being committed, he would have played the part which his father had intended to perform at Salisbury, where, if the latter could have obtained an audience, he would have stabbed Richard the Third; and that he had told Lord Abergavenny, if the King died he would have the rule of the land. All these supposed offences, blended together, did not amount to an overt act of treason; even if we suppose the consultation of the soothsayer to have related to the time of the King's death. The only serious imputation on his prudence rests on the testimony of the spy. Buckingham confessed the real amount of his absurd inquiries from the friar. He defended himself with eloquence. He was tried in the court of the lord high steward, by a jury of peers, consisting of one duke, one marquess, seven earls, and twelve barons, who convicted him. The duke of Norfolk, lord steward for the occasion, shed tears on pronouncing sentence. The prisoner said, "May the eternal God forgive you my death, as I do!" The only favour which he could obtain was, that the ignominious part of a traitor's death



should be remitted. He was accordingly beheaded, the surrounding people venting their indignation against Wolsey by loud cries of "The butcher's son!"

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The events which occurred in England from the death of Buckingham to the first public measures taken by Henry for a divorce, were not numerous or important. The history of Europe during this period teems, indeed, with memorable occurrences; but their connection with the affairs of England is secondary, and their effects generally more brilliant than lasting. A brief summary will, therefore, suffice to conduct us to the dawn of those revolutions in religious opinion, which are so remote from the common path of the statesman, that he generally disregards or misjudges them; which concern all nations alike, and of which the influence, as far as our dim foresight reaches, never will cease to be felt by the whole race of man. The administration of Wolsey continued, seemingly with unabated sway, for many years of this reign. That minister, who delighted as much in displaying as in exercising power, became at last unpopular from the haughtiness of his demeanour, rather than from his public measures. The principles, however, of his government gave just alarm. For seven years no parliament was assembled. While the assembly which held the public purse was thus interrupted, an attempt was made to raise money by the expedients of forced loans and pretended benevolences, which had already been condemned by the legislature. But these attempts produced more discontent than supply: the parliament which now met manifested a displeasure, which shows the distrust and apprehension of Wolsey entertained by these assemblies. We have an account of their temper and deportment from an eye-witness, which is not a little remarkable: — "There has been the greatest and sorest hold in the lower house for the payment of the subsidy that was seen in any parliament. It has been

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debated sixteen days together; the resistance was so great, that the house was like to have been dissevered. The King's knights and servants being of one party, it may fortune contrary to their heart, will, and conscience. Thus hanging the matter yesterday, the more part being for the King, his demand was granted to be paid in two years. Never was one half given to any former one at once: I beseech the Almighty it may be peaceably levied, without losing the good will and true hearts of the King's subjects, which I reckon a far greater treasure than gold and silver." \* This instance of a grant of money so obstinately contested, and the example of a party of placemen and courtiers, who are represented as its sole supporters, shows clearly enough that the spirit of the house of commons was not abated by Tudor rule, at least on those matters which were justly considered as exclusively within their province. Sir Thomas More, the first Englishman known to history as a public speaker, who had distinguished himself by opposition to former grants, was now speaker of the house of commons, and supported the measures of the court. Neither his eloquence nor his virtue, however, could gain more than a temporary advantage. Wolsey is said to have gone to the house of commons with a train of retainers, and to have expressed his wonder at the profound silence that followed his entrance. The speaker, whatever might be his coalition with the court, did not forget the duty and dignity of his office, but protested that, according to the ancient liberties of the house, they were not bound to make an answer, and that he, as speaker, could make no reply till he had received their instructions; an answer which was perhaps the pattern of that made by a successor to the chair at one of the most critical moments of English history.

\* Ellis, vol. i. p. 220. This re- confirmed by that of Lord Herbert, port of the debates is, in substance, p. 59.

As France was now bounded on either side by the Spanish and Burgundian dominions of Charles, the occasions of enmity and pleas for war were necessarily multiplied between the emperor and its king. The Pope easily prevailed upon Charles to turn his arms to the expulsion of the French from Italy. Henry also supported the Imperial cause, but hesitated for a time about an open rupture with Francis.

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The death of Leo, after a short but memorable Pontificate, in which a mortal blow was struck at the greatness of the Roman See, displayed the bold ambition of Wolsey, who then declared himself a candidate for the Papacy; rather, probably, to strengthen his pretensions on the next vacancy, than with hopes of immediate success. This faint attempt yielded to the influence of the Emperor, who bestowed the triple crown on his preceptor Adrian; a man in almost all points the opposite of his celebrated predecessor. Leo, a patron of art and a lover of literature, ignorant of theology and indifferent to it, was little qualified to foresee the danger to which his throne was about to be exposed by the controversies of obscure monks in the northern provinces of Germany. A man of the world, of taste, and of pleasure, he had the manners and accomplishments then only to be learnt in the Italian capitals. Adrian, on the other hand, a native of Utrecht, was a learned and conscientious schoolman, of sincere zeal for his religion, and desirous of reforming the manners of the clergy according to the model of his own austere life; but as intolerant as any of his contemporaries, ignorant of mankind, and not sharing that taste for polite literature which was now shedding a lustre over Italy.

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At Adrian's death, three years afterwards, Wolsey renewed his canvass, to promote the success of which seems to have been the main-spring of his policy during the eight years previously. Several cardinals voted for him; but neither of the continental princes could



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seriously intend to make an English minister their master, or indeed to throw the scarcely shaken power of the Papacy into the hands of a turbulent and ambitious man. Henry himself, who in his moments of facility or impetuosity had promoted his minister's project, was too acute not to perceive, in his calmer moods, the peril of placing such a spiritual sovereign over his own head. Had Wolsey been successful, we now see how vainly he must have struggled against the current of human affairs. He would have withstood it manfully, but he must have fallen after more bloodshed than that unavailing struggle actually cost. He held the necessity of general ignorance to good government; and he doubtless would have punished heretics with more satisfaction, in defence of his own authority, than he had done in defending that of others.

During this period the war was waging between Charles and Francis, in Italy, with various fortune. Clement the Seventh espoused the French interest; but the desertion of the national cause by Charles of Bourbon, a prince of the royal blood, and his conspiracy with England and Austria against his own country, proved to Francis the forerunner of calamities seldom experienced by princes. At the battle of Pavia, the French army was totally routed, and Francis was himself made prisoner. Bourbon, feeling, perhaps, a momentary shame at the misfortunes which he had helped to bring on his native country, with tears in his eyes addressed the captive monarch, saying, "Had you followed my counsel, you should not have needed to be in this estate." The King answered by turning up his eyes to heaven, and exclaiming "Patience! since fortune has failed me," \* in the language of a man who regarded the pity of a traitor as the last of insults. Henry affected joy at the victory of his ally, but demanded the aid of Charles to recover his inheritance in France, and in return offered to com-

\* Herbert, p. 7.

plete the nuptials of the emperor with his daughter Mary, which had been stipulated long before. The English government, however, dreaded the success of the emperor, and concluded a treaty of peace and alliance with France, in which the states of Italy, which still retained their political existence, concurred. Charles, feeling this jealousy to exist, consented to open a negotiation at Madrid for the release of Francis; to which the chief impediment was the reluctance of the latter to restore the duchy of Burgundy, the wrongful acquisition of Louis the Eleventh. The French monarch at last yielded; and a peace seemed to have been made by the treaty of Madrid, which restored Francis to his dominion, after a captivity of more than a year. When his horse sprang on the French territory, he joyfully exclaimed, "I am again a king!" When pressed to perform the treaty, by swearing to observe which he had earned his release from prison, he answered by declaring, that "he had no right to dismember the kingdom, which at his coronation he had sworn to preserve entire; that the states of Burgundy refused to concur in the cession; that the parliament of Paris, the senate of the monarchy, had pronounced the stipulation to that effect to be void; and that the Pope had dispensed with the oath, which his holiness treated as null, because it was a promise to do a wrong."\* He even carried his solicitude to multiply pretexts so far as to allege, that, in consequence of Henry's rights as duke of Normandy, the cession of Burgundy could not be valid without his consent. To all these evasions it was a sufficient answer, that he was bound to know the extent of his powers when he signed the treaty; that if he had, however, discovered that he had exceeded his authority, he ought to surrender himself again a prisoner; that the resistance of the states of Burgundy, and of the parliament of Paris, were obviously and notoriously prompted by himself; and

\* Herbert, p. 7.

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that Clement had dishonoured his authority by a scandalous approbation of the perjury of a prince whose ally he was about to become. It is remarkable that neither party appealed to the people of Burgundy, who had been seized as lawful booty by Louis, and agreed to be restored as if stolen goods by Francis. In the league against the Emperor, under the auspices of the Pope, and thence called "most clement and most holy," Henry was declared its protector, with an estate in Naples of thirty thousand crowns a year for himself, and of ten thousand to the cardinal. The bribes were afterwards increased to much larger sums.

This year an event occurred, unparalleled, perhaps, in its circumstances, and considered in that age as the most extraordinary which the chances and changes of war could have produced. The constable Bourbon, at the head of an imperial army of thirty thousand men, marched to the sack of the city of Rome. He was at the head of the army with a ladder in his hand, intending to scale the walls, when, lifting his foot to place it on the first step of the ladder, he was shot dead. Though the taking of a great city is always one of the most horrible scenes of human guilt and misery, we are assured by all writers that the storming of Rome surpassed every other in horror. More exasperated than dispirited by the fall of their leader, the soldiers entered the city with cries of revenge. On their first rushing into the streets, they butchered some of the defenceless prelates, who were flying from destruction. They had permission to pillage for five or six days; which includes impunity for that time for every form of human criminality which men greedy of plunder, smarting with wounds, intoxicated by liquor, or tempted by other lures, can imagine or perpetrate. Five thousand men are said to have perished; the number of women and children, on whom such assaults often fall with most severity, it would be horrible to conjecture; but war in



most of its horrors raged in the unhappy city for several months during the siege of the castle of St. Angelo, where the Pope and college of cardinals had taken refuge. A variety of circumstances renders it probable that the horrors of this assault, however heightened by rhetorical amplification, are in the main consonant to historical truth. The death of Bourbon left his army uncurbed by a leader; and the scenes which followed were peculiarly unfitted for attempts to restore discipline. The army was composed of a mercenary soldiery, called together from every country by the lure of pay and plunder; without national character; without habits of co-operation; without favourite chiefs; often without that acquaintance with each other's language, by means of which some of them might have been reclaimed; to which it may be added, that some of the assailants were impelled by religious zeal. Many German soldiers might have imbibed, from the preaching of Luther, that abhorrence of popery which they had now the means of indulging, in the great city where that religion had triumphed for a thousand years.

Such was the hypocrisy of Charles, that, on learning the misfortunes of the Pope, he gave orders for a general mourning, suspended the rejoicings for the birth of his son, and commanded prayers to be offered throughout Spain for the deliverance of the pontiff, whom the Emperor himself had commanded his generals to imprison.

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HENRY THE EIGHTH, *continued*.—RISE AND PROGRESS OF  
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THE REFORMATION OF RELIGION in the sixteenth century, when regarded only from a civil point of view, is doubtless one of the most memorable transactions in the history of the civilised and christian world. For a century and a half almost all the important wars of Europe originated in the mutual animosity of the christian parties.

All the inventions and discoveries of man are only various exertions of his mental powers: they depend solely upon the improvement of his reason. With the vigour of reason must keep pace the probability of adding new discoveries to our stock of truth, and of applying some of them to the enjoyment and ornament, as well as to the more serious and exalted uses of human life. By a parity of reasoning we perceive that those who remove impediments on the road to truth as certainly contribute to advance its general progress, as if they were directly employing the same degree of sagacity in the pursuit of a particular discovery. The contrary may be affirmed of all those who oppose hindrances to free and dispassionate inquiry: they lessen the stores of knowledge: they relax the vigour of every intellectual effort: they abate the chances of future discovery. Every impediment to liberty of inquiry or discussion, whether it consists in the fear of punishment, in bodily restraint, in dread of the mischievous effects of new truth, or in the submission of reason to beings of like frailties with ourselves, always, in proportion to its magnitude, robs a man of some share of his rational and

moral nature. Truth is not often dug up with ease. But when it is a general object of aversion, when it is represented as an immoral or even an impious search, the difficulties that impede our labours are increased. When that is the case, the most irresistible passions of our nature, and the most lasting interests of society, conspire against improvement of mind; and it is thought a crime to ascertain what is generally advantageous, though thereby only can be learned the arduous art of doing good with the least alloy of evil.\*

The Reformation was the first successful example of resistance to human authority. The reformers discovered the free use of reason. The principle came forth with the Lutheran revolution; but it was at first so confused and obscured by prejudice, by habit, by sophistry, by inhuman hatred, and by slavish prostration of mind, to say nothing of the capricious singularities and fantastic conceits which spring up so plentifully in ages of reformation, that its chiefs were long unconscious of the potent spirit which they had set free. Even now it is not wholly extricated from the impurities which followed it into the world. Every reformer has erected a little papacy. He therefore forbids all attempts to enlarge her stores, and draws the line beyond which human reason must no longer be allowed to cast a glance.

The popish authority claimed by Lutherans and Calvinists was more odious and more unreasonable, because more self-contradictory, than that which the ancient Church had inherited through long ages; inasmuch as the Reformers did not pretend to infallibility; perhaps the only advantage, if it had been real, which might in

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\* Whoever is desirous of estimating the value of knowledge, will find the noblest observations on that grand subject, which have been made since Bacon, in Mr. now Sir John Herschel's "Discourse on Natural Philosophy;" the finest

work of philosophical genius which this age has seen. In reading it, a momentary regret may sometimes pass through the fancy, that the author of the "Novum Organum" could not see the wonderful fruits of his labour in two centuries.



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some degree have compensated for the blessings of an independent mind. They now punished with death dissenters who were only following the example of the most renowned Reformers, in rebelling against authority for the sake of maintaining the paramount sovereignty of reason.

The flagrant inconsistency of all Protestant intolerance is a poison in its veins which must destroy it. Clerical despotism was theoretically supreme only over the domain of theology; but, as religion is the standard of morality, and politics are only part of the latter, all great subjects had been practically interdicted; and the human mind, enfeebled and degraded by this interdict, had been left with its cramped and palsied faculties to deal with inferior questions only. The sufferings of the Wyckliffites, the Waldenses, and the Bohemians, had seemed indeed to have fully proved the impossibility of extinguishing opinion by any persecution in which a large body of men can long concur. But the two centuries which followed the preaching of Luther taught us, by one of the most sanguinary and terrific lessons of human experience, that in the case of assaults on mental liberty, Providence has guarded that paramount privilege of intelligent beings, by confining the crimes of mankind, as it has seen fit for a season to allow that their virtues should be circumscribed. Extirpation is the only persecution which can be successful, or even not destructive of its own object. Extirpation is conceivable; but the extirpation of a numerous sect is not the work of a moment. The perseverance of great bodies in such a process, for a sufficient time, and with the necessary fierceness, is happily impracticable. Rulers are mortal: shades of difference in capacity, character, opinion, arise among their successors. Aristocracies themselves, the steadiest adherents to established maxims and revered principles of rule, are exposed to the contagion of the times. Julius aimed at Italian conquest: Leo thought

only of art and pleasure: Adrian burned alike with zeal for reforming the clergy and for maintaining the faith. Higher causes are in action for the same purpose. If pity could be utterly rooted out, and conscience struck dumb; if mercy could be banished, and fellow feeling with our brethren extinguished; if religion could be transformed into bigotry, and justice relapse into barbarous revenge, even in this direful state, the infirmities, nay, the vices, of men, indolence, vanity, weariness, inconstancy, distrust, suspicion, fear, anger, mutual hatred, and hostile contest, would do some part of the work of the exiled virtues, and dissolve the league of persecution long before they could exterminate conscience.

Many causes had combined to prepare the soil for the Reformation. Even the subtleties of the Schools, and their appeal to the authority of a pagan reasoner, had raised up against the Papacy and the priests a rivalry, which was followed, in the first instance, by the masters of the Roman law, and afterwards by the revivers of ancient literature. The Council of Constance, though cruel persecutors of those who outran their own dissent, yet asserted the jurisdiction of Councils over Popes, even so far as to maintain not only their power to condemn the errors of the latter, but even their authority to depose, elect, or otherwise chastise them. A predisposition against the ecclesiastical claims had prevailed so generally and reached so high, that the Emperor Maximilian himself was not indisposed to the new opinions. The kindness and patronage granted to the great heresiarch by the excellent elector of Saxony, seems either to indicate some previous concert, or to evince so extensive an alienation from the clergy, that express words were not needful.

The letters of Erasmus, the prince of the restorers of literature, who gave too much proof of preferring peace to truth, bear the weightiest testimony to the joy and thanks of European scholars at the hopes of deliverance

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held out by the Saxon reformation, during its earliest and most pacific period. At the same time, with an excess of weariness not suited to the temperament of his correspondent, he exhorts Luther to observe more moderate and temperate language, and to attack the papal agents more than the Holy See itself. In the first negotiations of these agents with the heretical princes, it was insinuated by the former, that their opponents might maintain their doctrines in the private disputations of the learned, if they would only desist from the mischievous practice of inflaming the ignorant by preaching or writing on such subjects. These suggestions were natural to the statesmen, courtiers, and semi-pagan scholars of the court of Leo, at a time when a double doctrine and a system of secret opinion had rendered the educated among the Italians unbelievers themselves, who regarded the ignorant as doomed to be their dupes, and thought the art of deluding the multitude beneficial to mankind, as well as easy and agreeable to their rulers.

Martin Luther was of a character thoroughly exempt from falsehood, duplicity, and hypocrisy. Educated in the subtleties of the Schools, and the severities of the Cloister, he attached an undue importance to his own controversies, and was too little acquainted with the affairs of the world, to see the way in which they might be disturbed by such disputes. It is very probable, that, if he had perceived it, his logical obstinacy would unwillingly, if at all, have sacrificed a syllogism to the public interest. Two extraordinary circumstances appeared a little before this time, so opportunely, that they might be said to have been presented to him as instruments for the accomplishment of his purpose. These were, the invention of the art of printing, and the use of the German tongue in addresses to the people. His ordinary duties led him to make weekly addresses to all classes. The use of the vernacular language rendered



him as easily understood by the low as by the high; and printing had so lessened the cost of copying, that the poorest man, or club, or society, could buy a copy of his sermons and tracts. These were written with clearness and brevity, as well as with such a mastery over language, as to have raised the spoken dialect of his own province into the literary tongue of Germany, and to have fixed his place as the first of the writers who have disclosed the treasures of that copious and nervous tongue. This distinction he doubtless owed partly to the veneration entertained for his translation of the Scriptures, and partly to popular tracts, which were not only most skilfully adapted to the capacity of the multitude, but perhaps too much accommodated to their taste by a plentiful seasoning of personalities and scurrilities, which, though they promoted his purpose for the time, cannot be perused without displeasure in succeeding ages. This great Reformer was born at Eisleben, in Saxony, about thirty years after the invention of printing, and twelve before the discoveries of America and of a maritime road to India; when the Papacy had not recovered from the blow struck at it by the Council of Constance, and sufficiently late for participation in the advantages resulting from the revival of ancient literature. The ardour of his mind, the elevation of his genius, and the meditative character of his country, early led him to that contemplation of the vast and the invisible, to that aspiring pursuit of the perfect and the boundless, which lift the soul of man above the vulgar objects of sense and appetite, of fear and ambition. The fate of a comrade, who was struck dead by lightning while walking in the fields with Luther, alarmed and agitated him; and he accordingly devoted himself to a religious life, as a monk of the order of St. Augustin. It is a characteristic fact, that he had been two years in the monastery before he saw a Latin Bible, which he embraced with delight. So human and traditional had

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It was not, however, till seven years after, that he made any public opposition to practices directed or allowed by the Church. The occasion of this resistance was the issue and sale of indulgences, to raise a sum of money adequate to the cost of completing St. Peter's church at Rome. These indulgences appear to have been granted in early times. Their original purpose, and the only efficacy ascribed to them, was grounded on the commutation of penance for a money payment. No pope or council taught that indulgences were a permission for future offences, still less that they had any relation to those punishments which Supreme Justice may finally employ in the administration of the moral world. With some inconsistency, however, and with much danger to the community, they began to stretch their authority into the unseen world; teaching that indulgences extended to part, or the whole, of purgatory. The produce of indulgences was, in general, destined for pious purposes. They were at first rare; being granted

with consideration, and in cases which might be deemed favourable. But in a series of ages caution and decorum disappeared. The practice of the distributors widely deviated from the professed principle of the grants; and they gradually threw off all the restraints by which the pious prudence of former times had laboured to render the practice safe, or indeed tolerable.

The execution of the bull for indulgences in Germany was intrusted to men who rendered the abuses to which they were liable most offensively conspicuous. Tetzel, a Dominican, one of the chief distributors, vended his infallible specific with the exaggeration and fiction of the coarsest empiric. Wittemberg was one of the towns which he visited on his journey. A scene here opened for the learning, integrity, and piety, as well as the ardour and impetuosity, of Luther. A great practical abuse had been brought to his dwelling, with every aggravation, from the peculiar circumstances of a country remote, undisturbed, and unawakened by controversy, and from the character of the shameless collectors. It was fortunate that it might be impugned without questioning the authority of the Church, or of the Supreme Pontiff, which the Reformer, magnanimous as he was, might not have yet dared to assail. It was fortunate, also, that the enormities of Tetzel found Luther busied in the contemplation of the principle which is the basis of all ethical judgment, and by the power of which he struck a mortal blow at superstition: "Men are not made truly righteous by performing certain actions which are externally good; but men must have righteous principles in the first place, and then they will not fail to perform virtuous actions."\* Whether Luther rightly understood the passages of the New Testament on which he founded the peculiar doctrine for the sake of which he advanced this comprehensive principle, is a question of pure theology, not in the province of history to answer. But

\* Milner, Church History, vol. iv. p. 331.



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the general terms which are here used enunciate a proposition equally certain and sublime; the basis of all pure ethics, the cement of the eternal alliance between morality and religion, and the badge of the independence of both of the low motives and dim insight of human laws. Luther, in a more specific application of his principle, used it to convey his doctrine of Justification by Faith; but the very generality of his terms proves the applicability of the principle to be far more extensive. He saw the pure moral principle in its religious form; but his words enounce it as it exists in itself, independent of all application. He did not perceive that this doctrine rendered the use of fear and force to make men more virtuous and religious the most absurd of all impossible attempts; since virtue and religion have their seats in an inviolable sanctuary, which neither force nor fear can approach; and that it placed in the clearest light the natural unfitness of law, which seeks only to restrain outward acts, for a coalition with those purer and more elevated principles which regard human actions as only valuable when they are the outward and visible signs of inward and mental excellence.

But it is evident that a mind engrossed by considerations of this nature was not in a mood to endure with patience the monstrous language of Tetzl. Luther had not travelled in search of grievances: he had even buried in respectful silence the results of his observation on the immorality and irreligion of Rome. He was assailed at home by representations, which, if our accounts be accurate, were little less than dissuaves from the cultivation of virtuous dispositions. It is now no longer contended that he was instigated by resentment at the supposed transfer of the distribution of indulgences to the Dominicans, from his own order of the Augustinians, who had very seldom enjoyed the privilege. It had been chiefly in the hands of the Dominicans for two hundred years, and only bestowed on one

Augustinian for more than half a century before  
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One of his first acts was to publish ninety-five theses, in the usual form of themes for disputation; in which he impugned the abuse of indulgences, denying the power extravagantly ascribed to them, not without striking some blows at the doctrine itself; but concluding with a solemn declaration, that he affirmed nothing, but submitted the whole matter to the judgment of the Church. Nor is there any reason to question his sincerity: he at this time, doubtless, confined his views to the evil which had awakened his zeal. In after times, the inflexible obstinacy with which abuses were defended, compelled him to explore the foundations of her authority. This undistinguishing maintenance of all established evils, together with the wrong done to himself and his adherents, obliged him in self-defence to examine the nature of ecclesiastical power; and the result of a wider inquiry warranted him in carrying the war into the enemy's country. No other means of effecting the most temperate amendments were left in his possession; his option lay between an assault on Rome, and the destruction of Protestantism. Fortunately for the success of his mission, the great Reformer, penetrating, inventive, sagacious, and brave as he was, had little of the temerity of those intellectual adventurers who, often at the expense of truth, and almost always at the cost of immediate usefulness, affect singularity in all things, and are more solicitous to appear original, than to make additions to the stock of knowledge. In the gradual progress of dissent which naturally arose, the variations in his words and deeds at different stages of it are no proof of levity, but rather, by being gradual, afford evidence that they were considerate; and they still less justify a suspicion of insincerity against one of the frankest and boldest of men. Nothing can be a stronger proof of his honesty than the language

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in which he many years after spoke of his theses: "I allow these propositions still to stand, that by them it may appear how weak I was, and in how fluctuating a state of mind I was when I began this business. I was then a monk and a mad papist; ready to murder any person who denied obedience to the Pope." For about three years after the publication of Luther's theses, the court of Rome did not proceed to extremities against him. Leo smiled at the petty movement of Saxony, and was wont to say, "Brother Martin has a very fine genius; but these are only the squabbles of friars." He despised the controversy so long, that it became too late either for timely concession, or for immediately destroying the heresy. At last he was persuaded by the divines, or probably by the politicians, of his court to crush a revolt, of which the example might become dangerous.

The result was a bull, in which forty-five propositions, extracted from the writings of Luther, were condemned as heretical; and if he himself did not recant within sixty days, he was pronounced to be an obstinate heretic, was to be excommunicated, and delivered unto Satan for the destruction of his flesh; and all secular princes were required, under pain of incurring the same penalties, with the forfeiture of all their dignities, to seize his person, that he might be punished as he deserved.

To follow Luther through the perils which he braved, and the sufferings which he endured, would lead us too far from our proper province; but, in justice to him, the civil historian should never omit to mention the benefits to the moral interests of society, from the principle on which, to the end, he founded his doctrine, namely, that all rites and ceremonies, all forms of worship, nay, all outward acts, however conformable to morality, are only of value when they flow from a pure heart, and a right disposition of mind. Wherever outward acts are considered as in themselves meritorious,



it is evident that the performance of one such may be conceived to make amends for the disregard or omission of other duties. It may be conceived as possible that the justice of a superior may be satisfied for a theft or a fraud, by self-inflicted suffering, or by some outward act of unusual benefit to mankind. But no substitute can be conceived for a grateful and affectionate heart, for piety or benevolence, for a compassionate and conscientious frame of mind. Where these are wanting, outward acts can make no compensation for their absence; because the mental qualities themselves are the sole objects of moral approbation. When the whole moral value of outward acts is ascribed to disposition and intention, it becomes impossible for any reasonable being to harbour so vain a conceit, as that he can compromise with his conscience for deficiency in one duty by practising another. From the promulgation of this principle, therefore, may be dated the downfall of superstition, which is founded on commutations, compromises, exchanges, substitutes, and upon an exaggerated estimate of practices, more or less useful, but never beneficial otherwise than as means to ends.

About the same time with Luther, Ulrich Zuinglius, also a Swiss priest, preached against indulgences. He inculcated milder doctrines, and was distinguished by a more charitable spirit, than any other reformer; but though some of his opinions have been adopted by many Protestants, his premature death prevented him from establishing an ascendant even in his own country. The sceptre of the Reformation in Switzerland fell into the powerful hands of John Calvin, a native of Noyon in Picardy, who established the Protestant religion and a democratical form of government in the city of Geneva. The second of the German reformers was Melancthon, one of the restorers of ancient learning, who did much to recover Grecian philosophy from the superincumbent masses of commentary under which it lay

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buried among the schoolmen; but who would have been of too gentle a spirit for the age, if that very gentleness had not disposed him to seek steadiness in submission to the commanding and energetic genius of Luther. After the death of his master, he, like Zuinglius, rejected the stern dogma of absolute predestination, in which he has been followed by the Lutheran body, leaving it to become, in after ages, the distinction of the followers of Calvin, and still more of his successor Beza.

Somewhat later, the whole body of dissenters from the Romish Church received the name of "Protestants," from their common protest against an intolerant edict of the Imperial diet holden at Worms. The Lutherans called themselves "Evangelical Christians," from their profession of drawing their doctrines from the scriptures alone. They were called followers of the Confession of Augsburg, from a confession of their faith delivered to the diet in that city by Melancthon. The followers of Calvin assumed the designation of the "Reformed Church," perhaps with the intention of marking more strongly that they had made more changes in church government than their Protestant brethren. A Calvinist and a Presbyterian became in England synonymous terms. The word "Calvinist" now denotes all who, in any Protestant communion, embrace the doctrine of absolute predestination. It is synonymous with "predestinarian." Many Episcopalians are now Calvinists; many Presbyterians are anti-Calvinists.\*

\* The first movement of the human mind in the sixteenth century, which may be called the Lutheran, was very distinguishable from the religious convulsions which afterwards ensued. The German Reformation was effected by princes in form subordinate, in fact independent. As soon as the revolt of the Boors had been suppressed, the new

religion coalesced with the established government as perfectly as the ancient faith had done. All changes were introduced by legal authority, and the same power restrained them within their original limits. If some German states had not adopted a Calvinistic system, giving rise to the distinction between "Evangelicals and Reformed," there would have

The subject of fiercest controversy among the adherents of the new faith was the nature of the sacrament of the Lord's Supper. A rejection by all Protestants of the ancient doctrine or language, which represented the bread and wine to be in that sacred rite transubstantiated into the body and blood of Christ, was, of all Protestant deviations, that which most excited the dread and horror of pious Catholics, who considered the heretics as thus cutting asunder the closest ties which bound the devout heart to the Deity. Yet Luther only substituted one unintelligible term, "consubstantiation," for

been no opportunity left for toleration among the rigid doctors of the Saxon revolt. But after a time, being reluctantly compelled to make common cause with their more advanced brethren against the Church of Rome, they slowly learned the necessity of extending the boundaries of toleration beyond those of common belief. The principle of the Lutherans was the right of the civil ruler to reform religion, and to maintain it so reformed. Laws had established Lutheranism. It had been the subject of negotiation, and consequently liable to compromise. Treaties had secured the religion of each separate state. At the point where we now pause, the face of Germany was calm, and its general quiet was for many years undisturbed.

The second religious movement, which may be called the Calvinistic, was of more popular origin, and rose in defiance of the principalities of the world. In France and the Low Countries, its principal seat, it had to struggle with bigoted sovereigns and cruel laws. The Reformation was indeed every where connected with civil liberty. But among the Lutherans the connection was long invisible, and the fruits slowly ripened. Among the French and Belgic Calvinists who were obliged

to resist civil as well as ecclesiastical superiors, the connection of civil and religious liberty was no longer indirect. It forced itself on the eyes and hearts of all Protestants. It had long before been foretold that a revolt against the ancient authority of the church would shake the absolute power of monarchs to its foundation. But it was not till princes had become religious persecutors that persecuted subjects inquired into the origin and boundaries of political power. The Calvinists resisted their government in order to defend themselves. The resulting wars, whether we call them foreign or civil, were fiercer and more unrelenting by far than those which had distracted Germany during the first outbreak of the new opinions. National attachments were nearer being dissolved. Agreement in religion grew to be the prevalent principle of union; and dissension on that subject often caused a hatred over which the ties of country and kindred were unable to prevail. The Protestants of France, Britain, and Belgium forgot their national jealousies amidst the fervour of religious attachment. The Inquisitors of Spain embraced the leaguers of France as their brethren by a dearer tie than that of a common country.



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the more ancient but equally unintelligible one, "transubstantiation." Even Calvin paid so much regard to ancient dogmas as to maintain the real though not bodily presence of the body of Christ in the sacrament; and the Church of England, in her solicitude to avoid extreme opinions, and to reject no language associated with devotion, has not altogether avoided the same incomprehensible and seemingly contradictory forms of speech. Zuinglius, and some of the Lutherans, who openly declared their conviction that this venerable rite was merely a commemoration of the death of Christ, were the only Reformers who made a substantial alteration in the old creed, and expressed themselves, on this subject at least, with perfect perspicuity.

Erasmus, the prince of European scholars, was in the fiftieth year of his age, and in the full maturity of his fame, when Luther began to preach the Reformation at Wittemberg. No man had more severely lashed the superstitions miscalled acts of piety, or scourged the frauds and debaucheries of the priesthood with a more vigorous arm. The ridicule which he so plentifully poured on the monks during his residence in England doubtless contributed to their overthrow in this country. He was pleased with Luther as long as he confined himself to the amendment of faults, without impugning the authority, or assailing the constitution of the Church. He had however early in the controversy informed Luther that he did not court martyrdom, for which he felt himself to be unfit; that he would rather be mistaken in some points, than fight for truth at the expense of division and disturbance; that he should not separate from the Church of Rome, though very desirous that her errors should be amended. Nor was the demeanour of the Saxon Reformer towards this illustrious scholar, in the beginning, worthy of much censure. Erasmus was not required to commit any absolute breach of the neutrality which his age and character seemed to impose

on him. But, when all differences had been widened by the excesses of the German boors and of the Dutch anabaptists, Erasmus recoiled from approaches to the Lutherans. Though the monks abated nought of their hatred, the Roman politicians felt the necessity of courting the dictator of literature, appealing to former good offices, and holding out the hope of further favours. Their displeasure was still formidable, and Erasmus, it must be owned with regret, made too large sacrifices to his poverty and his fears. On the other hand, every concession or approach to the ancient Church was treated as an act not only of insincerity, but of apostasy and desertion; charges which, as he had never enlisted in the Lutheran army, he did not strictly deserve. He was incensed at their invectives; yet even then he deplored the dreadful bloodshed which had attended the suppression of the Boors' revolt, in which a hundred thousand persons were put to death. In his latter years, a cardinal's hat was offered to him, which he declined; but it is not to be denied that if the convulsions of the age did not make him a papist, at least they rendered him a member of the papal faction. Perhaps he did not dare to form decisive opinions concerning controverted dogmas in theology. He was accused, but without proof, of unbelief in the Trinity. The creed which he had brought his mind to embrace distinctly seems to have been short and simple; and that of which he would have desired a profession from others would probably have comprehended the greater part of Christian communities. He died in the sixty-ninth year of his age, certainly not reconciled to Luther by the cruel murder of his illustrious friend Sir Thomas More, the last and most mournful event of which he lived to be a witness. It may be said of Erasmus, without suspicion of exaggeration, that his learning, powers of reason, imagination, and wit, were in his age unmatched; that his attainments were stupendous; and that, if his lot had

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fallen on happier times, his faults and infirmities would have been lost in the mild lustre of their neighbouring and kindred virtues.

The Calvinists adopted a democratic constitution for their church, in which all the ministers were of equal rank and power. The Lutherans retained bishops, but limited in jurisdiction, and much lowered in revenue. The Church of England generally, but prudently and moderately, inclining to an agreement with Calvin in doctrine, retained the same ranks of secular clergy, and many of the same forms of public worship, which had prevailed in the ancient Church; while she, in some respects, enlarged episcopal authority by releasing it from the supremacy of the See of Rome.

We will not further continue these sketches of ecclesiastical history, though brief. It will, however, be necessary to return to them when their influence on the affairs of England becomes more conspicuous. The civil history of Europe in the sixteenth and seventeenth centuries, the prevalent opinions of the eighteenth, and the revived activity of principles of reform in the nineteenth, are all of them unintelligible without reference to the opinions and disputes of religious parties.

A revolt of the Boors of Suabia had spread alarm through Germany, and was triumphantly appealed to by the antagonists of the Reformation as a decisive proof of the fatal tendency of its anarchical principles. These unhappy peasants were in a state of villeinage: the grievances from which they prayed for deliverance were real and great. Among the most conspicuous of their demands were, emancipation from personal bondage, the right of electing their religious teachers, that of killing untamed animals without the restraint of game laws, and a participation of the poor with the clergy in tithes which they desired to be limited to corn alone. These demands were in themselves not unreasonable, though urged by armed revolvers. The



conduct of Luther at this trying moment was unexceptionable. He condemned altogether the insurgents, and earnestly exhorted their lords to humanity and forbearance. If he departed somewhat from "fair equality, fraternal law," it was in favour of the masters; to which extreme he was driven by his solicitude to rescue the Reformation from the charge of fomenting rebellion. His policy, however, was vain: his antagonists were not to be conciliated. If he was silent or cool he was said to be conniving at rebellion; if he continued to rage in spite of his warmest censures, he was said to be showing that the principles of anarchy inherent in revolt against religion rendered the Protestant boors ungovernable by their own favourite leaders. The lords subdued the rebellion; and, according to the usage in like cases, disregarded the grievances, while they drowned the revolt in a deluge of blood. Such disorders as these are incident to the greatest and most beneficial movements of the human mind; because such movements awaken the strongest interests and excite the deepest passions of multitudes; and are often as much perverted by the expectations and violences of ignorant and impatient supporters as they are by the systematical resistance of avowed enemies. It sometimes happens, that the very grievousness of the evils unfits the sufferers for the remedies; as disabling them from applying these with moderation and caution. Poisons are often efficacious remedies; but their powers of destruction are quickly restored by a slight excess in their use.

While the enemies of the Reformation were exulting over the violence of the oppressed Boors, the better and more natural fruits of it sprang up in all those situations where the soil was well prepared to receive it. The greatest of the Imperial cities, which, from Strassburgh and Cologne to Hamburgh, had preserved a republican constitution, adopted the Lutheran protest against the papacy. The Low Countries, containing the

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most industrious and opulent communities north of the Alps, showed, like the German towns, that the disposition to religious liberty, which was beginning to steal unperceived on the partisans of the Reformation, was best received, and most heartily welcomed, by the commercial interest; that new and rising portion of the community, the mere fact of whose growth indicated an advance in civilisation. Of the two monarchies of the North, then among the freest governments of Europe, Denmark was the first to embrace the Lutheran doctrine; and in Sweden, Gustavus Vasa, who had delivered his country from a foreign yoke, and bestowed on it the blessings of civil liberty, paved the way for religious freedom by the introduction into it of the Protestant religion.

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HENRY THE EIGHTH, *continued*.

THE seed sown by Wycliffe in England had never been destroyed. Wolsey paid his court at Rome by burning some obscure Lollards, who had been lured from their darkness by Luther's light. Sir Thomas More, though a reformer of criminal law, deviated so far from his principles, when he entered the world of ambition and compliance, as to be present at the torture of heretics. Henry, as a disciple of Aquinas, took up the pen against the Lutheran heresy, and for this received from Rome the title of Defender of the Faith, which has been retained for three centuries by sovereigns of whom some might be more fitly called the chiefs of Protestant Europe. There was no country on whose fidelity the Papal See might seem entitled to rely with more confidence than on that of England. A single circumstance shook the apparently solid connection, and in the end detached Henry from communion with the Roman Church. Whether he really felt any scruples respecting the validity of his marriage during the first eighteen years of his reign may be reasonably doubted. No trace of such doubts can be discovered in his public conduct till the present year. Catherine had now passed middle age: personal infirmities have been hinted at, which might have widened the alienation. At this time, Anne Boleyn, a damsel of the court, in the flower of youthful beauty, and full of graces and accomplishments, touched the fierce but not unsusceptible heart of the King. One of her ancestors had been lord mayor of London; and her family had since been connected

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with the noblest houses of the kingdom, her mother being the sister of the duke of Norfolk. At the age of eight, Anne had attended the princess Mary into France. On the death of Louis, she had been taken into the household of Claude, queen of France, for her girlish attractions; and on the approach of the rupture between the two countries Henry had required her return to England. That her eldest sister, and even her mother, had preceded her in the favour of her royal lover, are assertions made by her enemies with a boldness equal to the total absence of every proof of their truth. There is nothing in the known conduct of Henry himself which warrants the imputation of so ostentatious a dissoluteness of manners, even to him. Anne appears to have entered into a precontract, or given some promise of marriage to one of the sons of the earl of Northumberland; but how far seriously is a question which we are unable to answer. The terms used in that age to describe such engagements are so loose, that it is unsafe to draw any important inference from them; but as this supposed precontract was afterwards considered as a sufficient ground for the sentence declaring the marriage of Henry and Anne to be null, it may be regarded as some presumption that a family, with whom one of the noblest houses in England had negotiated a matrimonial union, was at least exempt from notorious and disgraceful profligacy. The antagonists of her memory load her with the inconsistent charges of yielding to the King's licentious passions, and of having affected austere purity to reduce him to the necessity of marriage. The peculiar character of Henry, on the contrary, rendered him often a scrupulous observer of rules without much regard to their principles. The forms of law stood higher in his eye than the substance of justice; a peculiarity which affords the best key to his proceedings relating to the divorce of which he was desirous. A legal divorce,

however cruel, and even substantially unjust, satisfied his coarse and shallow morality. Catherine was then in her forty-sixth year, Anne in her twenty-second, Henry in his thirty-eighth.

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“The light which shone from Anne Boleyn’s eyes” might have awakened or revived Henry’s doubts of the legitimacy of his long union with the faithful and blameless Catherine. His passions, by a singular operation, recalled his mind to his theological studies, and especially to the question of the power of the Pope to dispense with the Levitical law, which must have been the subject of conversation at the time of his unusual, if not unprecedented, espousal of his brother’s widow. Scruples, at which he had once cursorily glanced as themes of discussion, now borrowed life and warmth from his feelings. The question was, in itself, one admitting of disputation: it was one on which honest and skilful men differed; and it presented, to say the least, ample scope for self-delusion. His nature was more depraved than lawless (if that word may be so used); and it is possible that his passion might have yielded to other obstacles, if he had not at length persuaded himself that by means of a divorce his gratification might be reconciled with the letter of the law. His conduct has the marks of that union of confidence and formality often observed in men whose immorality receives treacherous aid from a mistaken conscientiousness.

It was about this time, that on occasion of a project for the marriage of the princess Mary Tudor, now in her eleventh year, with Francis, a hint is said to have been thrown out by the bishop of Tarbes, the French ambassador in London, that the young princess might be illegitimate, being the issue of a marriage of doubtful validity. If we believe this fact, it affords some ground for a conjecture, that a suggestion, which must have been shunned as offensive, if it had not been

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known to be acceptable, had been procured from the ambassador by Henry or Wolsey. But such an anecdote, without any account of the preceding or consequent facts, is hardly admissible, except as a proof of the suspicion of the experienced negotiator, that doubts of the validity of the King's marriage would not be regarded at court as an unpardonable offence.

The King now treated his scruples as at least specious enough to make a favourable impression on a Pope to whom he had just rendered the most momentous services. He might, indeed, reasonably expect any favour from Rome which that court could justly bestow. To his armaments and negotiations Clement owed his release from prison. The Pope, however, had felt the power of the emperor, and dreaded a resentment which could not fail to be awakened by the degradation of an Austrian princess. Clement, an Italian priest of the sixteenth century, was far more strongly influenced by fear of the future than by gratitude for the past. Henry was distant, Charles was at his gates. The benefit from English interposition was never likely to be repeated: the injury and outrage might easily be again inflicted by the master of Naples and of Lombardy. The wary Pontiff, however, spared no pains to gratify one prince without displeasing another; or, at least, to postpone his determination so long, that time or accident might eventually relieve him from the painful necessity of pronouncing it. Perhaps these considerations might be excusable in a Pontiff, who was also a feeble temporal sovereign; but they were as worldly as the motives ascribed to Henry were blended with the suggestions of the senses. The one, under pretences of religion, consulted his own interest; while the other abused the same venerable name to cover the gratification of his passions. If any degree of sincerity had belonged to the religious professions of either (and it is not improbable that some portion did



minge with stronger motives), the excuse was as admissible in the case of the English king as in that of Clement.

The French embassy, of whom Grammont, bishop of Tarbes, was one, appears to have arrived in England early in the year. On this occasion Henry gave a magnificent entertainment at Greenwich, at which Anne was his partner in the dance. Two months after, Knight, secretary of state, was despatched to Rome to obtain the divorce of the queen; and shortly after, Wolsey informed the King, in a dispatch from France, that his project was already rumoured at Madrid. During the early part of these transactions, the situation of Wolsey had induced him to play a perilous game. On the one hand, he is said to have disengaged Anne from Percy, and appears through his agent Pace to have secretly procured aid to the King's suit from the venal pen of Wakefield, Hebrew professor at Oxford, who had once declared for the validity of the marriage with Catherine. But, on the other hand, his real wish was to wed his master to a French princess, to forward his own designs on the papacy, and to cover by the popularity of a valuable and illustrious alliance the odium which he must have foreseen to be the consequence of a justly obnoxious divorce. It is probable, also, that Wolsey was apprehensive of the power which the Boleyns and their connections would acquire by the elevation of their young and beautiful relation. He threw himself, we are told, on his knees before the King, and earnestly entreated him to desist from a purpose unworthy of his birth. It need scarcely be added, that the minister who made up by pliancy to an impetuous master for his insufferable arrogance towards herds of dependents, soon made haste to atone for the zeal which on a single occasion he had presumed to oppose to the royal wishes. He redoubled his activity and apparent zeal to promote the marriage with Anne

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Boleyn, so as to draw from that lady a letter overflowing with gratitude. More, not being convinced by the King's reasons, declined to support the intended measure. Fisher, bishop of Rochester, acted with the like hazardous integrity. No name is preserved of any other divine or lawyer who gave the same pledge of courageous honesty. The people, ignorant of law, but moved by generous feeling, saw nothing in the transaction but the sacrifice of an innocent woman to the passions of a dissolute monarch, which was, in fact, its true character.

On the arrival of Henry's agent at Rome, he found the Pontiff in a situation not favourable to the success of the application. The latter had surrendered to the Imperialists, agreeing to pay a hundred thousand ducats of gold in two months; and having been unable to make the payment, was so closely watched in his rigorous imprisonment which ensued, that he durst not give a public audience to Knight, nor venture to communicate with him, but secretly through Cardinal Pisani. After the Pope had made his escape to Orvieto, access to him was somewhat more free. English emissaries, well furnished with money, repaired to Italy; among whom was Stephen Gardiner, who afterwards filled a place in English history more conspicuous than honourable. Various expedients were suggested to deliver the Pope from his painful responsibility. Hopes were entertained of prevailing on the Queen to retire into a monastery; but she generously rejected all projects which involved in them a confession of the illegitimacy of her daughter. Clement yielded so far to the English ministers as to grant a commission to legates to hear and determine the validity of the marriage, and a pollicitation (or written and solemn promise) not to recall the commission, or to do any act which should annul the judgment or prevent the progress of the trial. Gardiner and Fox found the

Pope lodged in an old and ruinous monastery, with his antechamber altogether unfurnished, and a bed which, with the hangings, did not amount in value to more than twenty nobles. In executing these documents, he earnestly and pathetically implored the King not to put them in execution till the evacuation of Italy by the German and Spanish armies should have restored him to real liberty.

A very brief statement of the points in dispute may appropriately find a place here. The advocates of Henry observed that, by the law of Moses, a man was forbidden to marry the sister of his deceased wife; a prohibition which, being of divine authority, the dispensing power could not touch. But it was contended also, that even if it could, the bull of Julius the Second was void, because it had been obtained under the false pretences (recited in it as its ground) that the marriage was sought by the parties for the sake of peace between England and Spain, though peace then actually subsisted; and, also, that the dispensation had been issued at the desire of both parties, although Henry, being then only twelve years of age, was not competent to express any wish on the subject. But undoubtedly the desire of securing peace might well be comprehended in the words of the bull; and it is equally obvious, that the desires of a boy might be faithfully conveyed, or sufficiently represented, by those of his father and sovereign. Another objection was urged against Henry, that the nuptials of Arthur and Catherine had never been consummated; in other words, that there had been no marriage in fact, and, consequently, that the espousal of Catherine by Henry was perfectly lawful, even if it had not been protected by a dispensation.

The evidence of the completion of the nuptials, however, was considerably stronger than is usual in the case of a childless matron. The advocates of the King did not question the dispensing power farther than in its



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application to a divine, and generally binding, prohibition. The court of Rome did not dare distinctly to lay claim to such a power in the case of prohibitions acknowledged to be of divine authority; but they were loth to renounce it, from a desire not to narrow a great prerogative of the Papacy. Neither did they choose to rest their cause upon its most rational foundation, lest they might be charged with rashly lowering the obvious and literal sense of a divine law. For, surely, the law in Leviticus may be understood as divine, and yet as prescribed only to the Jewish people. It seems, indeed, to be a part of their purely national code; yet there would be no inconsistency in holding that the Catholic Church had by long usage, and by its written canons, extended to Christians the Mosaic prohibition. Though such prohibitions are undoubtedly not so necessary to the domestic morality of youth in the case of connection through marriage as they are generally and justly held to be in the relation of blood, yet they promote the same momentous purpose in a partial, however inferior degree. The law forbidding marriage between a brother and sister, owned to be indispensable, might by no very strained analogy be stretched to that of a man to his brother's widow; a view of the subject which borrows a delusive speciousness from the employment of similar words to express relationships, which have but slight resemblance to each other. It might be added, that the sovereigns of all Christian countries had in effect transplanted the prohibitions into their respective codes, and sanctioned them by long recognition. It was a natural though not a necessary consequence, that the highest authority of the Church might dispense with a regulation to which the Church had probably first subjected its members. This reasonable construction would have been fatal to Henry's pretensions; but, on the other hand, it would be a presumptuous attempt to give a new sense, and a more limited authority, to the Levitical law.

It was not, however, either by legal or theological arguments that the passions of the monarch were to be controlled, or the fears of the pontiff to be removed. Francis, the most decided opponent of the emperor, befriended Henry, and seconded his suit at Rome. A French army under Lautrec threatened Naples. As long as success promised to attend it, Clement adopted measures favourable to the projects of the English monarch; but not even then without the hesitation and well-disguised reservations with which he thought it necessary to tread warily amidst the shocks of combatants equally potent and merciless. He concluded, however, a treaty of alliance with the emperor, in which, among warm professions of friendship, and some cessions or guarantees of territory, it was stipulated that Charles should restore the house of Medici, the Pope's family, to their former station in Florence; and that Clement, after having been received with all due homage and reverence by Charles, should, when that monarch came to Italy, solemnise the coronation, which was necessary to complete the dignity of the emperor of the Romans. The temper as well as terms of this alliance denotes that close connection which, in parties of unequal strength, naturally degenerates into the dependence of the weaker side. Clement accordingly now resolved to provide for the repose of his age by submission to the emperor, the only potentate who could shield him from all other foes. Henceforward we must consider Clement as having taken his final part against the degradation of the Austrian princess. But though his vacillations really ceased during the short remainder of his life, it was still desirable to amuse so powerful a personage as the English King by ingenious delays and plausible formalities.

Already impatient of forensic artifices, Henry had been advised to adopt a specious expedient for obtaining the object of his desires, which, if it did not alarm the

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court of Rome into concession, might almost render its sanction needless. The bold proceedings of the council of Constance in deposing and electing popes had deeply rooted and widely spread the belief, that whatever might be the power of the latter, the Catholic Church assembled in a general council had an authority paramount to that of the pontiff. One of these councils, however, could not be assembled without the consent of the emperor, who would certainly withstand every project for facilitating the divorce in question. In this perplexity, a species of irregular appeal to the Church in its dispersed state appeared to be the best substitute for a favourable council or pope. Questions were, therefore, framed by Henry's command, addressed to the Universities of Europe, to obtain their opinion as to the validity of his marriage with his brother's widow. These learned bodies, at the head of whom were theologians, canonists, and jurists, did seem, indeed, to be the virtual representatives of the Church in its state of compulsory inactivity, since they were certainly the men who would exercise the greatest share of influence over the determinations of a General Council. The questions submitted to their judgment were clear, and the points in dispute fairly stated. These were: whether marriage with a brother's widow was prohibited by the Divine law, and if it were, whether a papal dispensation could release the parties from its obligation? The most moderate answered, that such a marriage could not be attempted without a breach of the Divine law, even with a papal dispensation. The French universities of Orleans, Angers, Bourges, and Toulouse, and the Italian universities of Ferrara, Padua, and Pavia, concurring with Bologna and Paris, the two most famous schools of civil and canon law on the continent, decreed that the marriage with Catharine was so mere a nullity as to be incurable even by a papal dispensation. The doctors of Bologna deviated somewhat in their language from the



calmness of the studious character; for they pronounced the marriage to be not only horrible and detestable to a Christian, but utterly abominable among infidels; that the most Holy Father, to whom were intrusted the keys of heaven, and who could do almost all other acts, could not release a man from a prohibition fenced round by all laws human and divine. Bologna, a recent and imperfect acquisition of the Holy See, which had surrendered only twenty years before to Julius the Second, on conditions, which, if fairly executed, would have left the external administration in the hands of the people, affected, perhaps, while the pope was a prisoner, to display somewhat wantonly the remains of their ancient independence. Still the university of that city, and those of the Venetian states, were placed in circumstances favourable to impartiality. Those of France can hardly be suspected of dreading so much the displeasure of Francis for unfavourable answers to his ally, as to have disgraced themselves by falsehood. That money was plentifully distributed seems certain; but that the apparent consent of all learned catholics was chiefly purchased by the distribution of bribes, is an assertion improbable in itself, and which would redound more to the dishonour of the Established Church than most of the charges made against her by the hottest zealots of reformation. Some of the opinions are said by the Catholics to have been obtained by means of packed meetings, some by minorities usurping the character of majorities. These are the too frequent faults of public bodies, and the constant imputation thrown on their decisions by defeated parties; but they are too general to deserve much attention until attempts shall have been made to support specific charges with reasonable proof. The doubt, be it remembered, entirely relates to the share which undue practices had in influencing the universities. Transactions of better times which have affected the interests of statesmen, or the

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passions of princes, have not been untainted by the like evil motives and impure means. The English universities were thought at first to have been unfriendly to the King's cause, and came over to him slowly, not from undue influence alone, but probably also by a fellow-feeling with the people, who after having listened only to pity for an illustrious lady, had gradually allowed their generous zeal to be damped by time. The German Protestants refused to purchase the good will of Henry by sanctioning the divorce. No answer was made by the Catholic doctors of Germany, as being under the power of the Emperor, whose canonists in Italy and Spain were also silent. That monarch must have prevented the English agents from access to competent opinion, or enjoined muteness on the latter. In either case, the undue influence used by Charles seems to have been as certain in Catholic Germany, in Lombardy, Naples, and the Spanish Peninsula, as was that of Henry in England, or of his ally Francis in France.

Dr. Thomas Cranmer, a divine of note at Cambridge, who, though born in the dark period of the civil wars, began to cultivate the more polite and humane literature introduced by Erasmus into northern Europe, early caught some sparks of that generous zeal for liberty of writing, which the "Humanists" (so the followers of that great scholar were called) were accused of carrying to excess. His preference of the new learning did not arise from ignorance of the old: he was eminent both as a theologian and canonist; and was regarded as one of the ornaments of his university. His nature was amiable, and his conduct spotless. He had suggested the appeal to the universities in a conversation with Fox and Gardiner, the King's confidential counsellors and agents. It was relished and adopted. Cranmer was sent on missions, connected with the question, to France and Italy; and it appears

from his private marriage with the niece of Osiander, a Protestant divine of Nuremburg, that during his more important mission to Germany, he had on some points approached, if he did not overpass, the threshold of Lutheranism. On the death of Warham he was raised to the archiepiscopal see of Canterbury; a station for which he was fitted by his abilities and virtues, but which was in fact the unsuitable reward of diplomatic services for a very doubtful object. But the history of public events in this and the two following reigns will, better than any general description, display the excellent qualities of his nature, and the undeniable faults of his conduct.

A papal commission issued to Cardinals Wolsey and Campeggio, conjointly, or to either separately, to hear and determine the matrimonial suit, and to do all acts that should be necessary for the execution of their sentence. On the arrival of Campeggio, he made an attempt to smooth the way, by persuading Catherine to embrace a religious life, as he had endeavoured previously to dissuade Henry from farther pursuing the divorce. Both these attempts were unsuccessful. Catherine once more spurned the unmotherly proposal. The popular feeling, which was favourable to her, obliged her husband to remove Anne Boleyn for a while from court, and to assure a great council of peers, prelates, and judges, whom he convoked in the great hall of his palace of Bridewell, that he was moved in his late proceedings solely by a desire to know whether his marriage was void, and consequently whether his daughter Mary was the rightful heir of the crown, he having begot her on his brother's wife, "which is against God's law. Think you, my lords," added he, "that these words touch not my body and soul. For this only cause I protest before God, and on the word of a prince I have asked counsel of the greatest clerks



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in Christendom, and sent for the Legate as a man indifferent between the parties." \* The countenances of the hearers formed a strangely diversified sight. Some sighed and were silent; some showed tenderness for the King's scruples. The Queen's most sagacious friends were sorry that the matter was now so far published as to cut off retreat or reconciliation. These perplexities afforded a plausible pretext to Campeggio to desire time for new instructions from Rome, in order to obtain delay, of which he knew the Pope to be desirous. The dangerous illness of Clement retarded the answer, and is said to have once more turned the ambition of Wolsey towards the tiara, now more than ever inaccessible to him.

Among other expedients for prolonging the suit before the legate's court, Campeggio suggested one drawn from the storehouse of Roman chicane. The courts of Rome having a long vacation, from July to October (the period of greatest danger to health from the Roman atmosphere), the Legate maintained that all courts deriving authority from the Pope were bound to suspend their sittings during that time. Wolsey consented, and the King began to consider him as a minister of too much duplicity, who, as he aimed at pleasing both parties, was no longer suitable to the impatience prevalent at the latter. Catherine, who had secret friends at court, excited the suspicions of the King against the Cardinal, without perhaps knowing that her rival Anne Boleyn was already employed in compassing his overthrow. The man who had been so long a domineering favourite all parties openly or privily united to destroy. The attorney-general commenced a prosecution against him for procuring bulls from Rome without the King's licence. Within the month the great seal was taken from him. The charge was doubtless the consummation of injustice, since Wolsey had obtained these docu-

\* Hall, p. 754.

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ments with the knowledge and for the service of the King, and had executed their powers for years under the eye of his ungrateful master. Shortly after, the lords, with More, the new chancellor, at their head, presented an address to the King, containing various articles of accusation against the tottering cardinal, and praying that he might no more have power or authority within the realm. This address was sent to the Commons for their concurrence; but the more serious parts of it were confuted with such ability as well as fidelity by the Cardinal's grateful servant Thomas Cromwell, that it was found impossible to prosecute the accusation of treason.

The dilatory proceedings of the legatine court had much contributed to widen the breach between the King and his minister. They seem indeed to have been spun out to a length which an impatient prince was not likely much longer to endure. The only memorable circumstance in the progress of the suit was the calm dignity with which the Queen asserted her own wronged innocence, and displayed the superiority of plain sense and natural feeling over legal formalities. Kneeling before her husband, she is said to have addressed him in words to the following effect:—"I am a poor woman and a stranger in your dominions, where I can neither expect good counsel nor indifferent judges. But, sir, I have long been your wife, and I desire to know wherein I have offended you. I have been your spouse twenty years and more. I have borne you several children. I have ever studied to please you, and I appeal to your conscience whether in the earliest moments of our union you were not satisfied that my marriage with your brother was not complete. Our parents were accounted the wisest princes of their age, and they were surrounded by prudent counsellors and learned canonists. I must presume their advice to have been right. I cannot therefore submit to the court, nor can my ad-

CHAP. vocates \*, who are your subjects, speak freely for  
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In the progress of this trial the unwonted humility of Wolsey in yielding precedence to Campeggio awakened suspicions of his cordiality, which were countenanced by his acquiescence in his colleague's procrastination.

A remarkable coincidence of circumstances now occurred, which might have alarmed a less jealous monarch. After some months, Clement, in spite of promises, removed the suit from the legatine court to be heard before himself at Rome. The bull of "avocation" was three days after despatched to England, where the messenger found the legatine court adjourned for two months. It is not easy to believe that this delay had not been concerted with Clement to afford time for his avocation before the legates could again assemble. Campeggio, in obedience to the instructions of Clement, quitted England, and the Pope summoned the English monarch to appear before him at Rome in forty days, an insult which, though in some measure repaired, was never forgiven.

To the other circumstances of suspicion against the Cardinal must be added that Sir Frances Bryan was said to have obtained possession of a secret letter from Wolsey to the Pope, which gave reasonable grounds for apprehending that the Cardinal covered an illicit and clandestine intercourse under his official correspondence with the Holy See. Anne Boleyn is said to have stolen this letter from Bryan, and to have showed it to the King. These practices were not peculiar to one side. The Emperor did not fail to communicate to his aunt, the queen of England, the intrigues carried on at Rome, and her remaining friends at court had conveyed the intelligence from her to the King.

\* The bishops of Rochester and St. Asaph, with Dr. Ridley. The last, at the distance of twenty years, displayed equal virtue.  
† Stowe, p. 543.

first soon after fell for his religion.



Wolsey confessed his offence against the statute of premunire, of which he was technically guilty, having received bulls without a formal licence. The court necessarily pronounced by their sentence, that he was out of the protection of the law; that his lands, goods, and chattels were forfeited, and that his person was at the mercy of the King. The Cardinal, with his vast possessions, thus fell into the King's hands. Henry, however, sent presents and kind messages to his discarded minister, and suffered him to remain at Esher, in Surrey, where he had a palace. But here, with characteristic caprice, he left him; with some relaxation of rigour, but without provision for his table, or furniture for his apartments. The sequel of Wolsey's residence near London was marked by the same irresolution on the part of Henry, whose inconsistencies probably resulted from his proneness to be moved by every impulse. Under one of these impulses Wolsey was pardoned and restored to his see of Winchester, and to the abbey of St. Alban's, with a grant of six thousand pounds, and of all rents not parcel of the archbishopric of York. Even that great diocese was afterwards restored to him. Arriving at Cawood Castle, he employed himself in magnificent preparations for his installation on the archiepiscopal throne. At this moment his final ruin seems to have been resolved on. The earl of Northumberland, the former suitor or betrothed spouse of Anne, was chosen to apprehend him for high treason. He was carried first to the Lord Shrewsbury's castle of Sheffield, where he was compelled by weakness to rest, and afterwards to the abbey of Leicester. Here he breathed his last. A journey from York to Leicester on horseback so near midwinter rendered a disorder in his bowels, under which he labored, mortal. His dying words were, "If I had served God as diligently as I have done the King, he would not have given me over in my grey hairs. This is the just reward that I must

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receive for the pains I have taken to do him service, not regarding my service to God.”\* Had such feelings pervaded his life, instead of shining at the moment of death, it would have been pure, especially if his conception of duty had been as exact as his sense of its obligation was strong. “If he had been more humble, or less wealthy,” says Lord Herbert, “he was capable of the King’s mercy.”† The sudden and violent fall of a man from the pinnacle of greatness to an unexpected grave is one of the tragic scenes in human affairs, which has a power over the heart, even when unaided by esteem; and often reflects back on his life an unmerited interest, which, though inspired by the downfall, is in some degree transferred to the fallen individual.

It is manifest that as Henry approached a final determination to set at nought the Papal authority, he must have perceived that Wolsey was an unsuitable instrument for that high strain of daring policy. The church and court of Rome had too many holds on the Cardinal. As their political schemes diverged, the ties of habit and friendship were gradually loosened between the King and the Cardinal. Perhaps at last a touch from the hand of Anne brought him to the ground, to clear the field for counsellors more irreconcilable to the Supreme Pontiff.

A strong symptom of the King’s growing determination appeared in a letter addressed to the Pope by two archbishops, two dukes, two marquesses, thirteen earls, five bishops, twenty-five barons, twenty-two mitred abbots, and eleven knights and doctors, entreating His Holiness to bring the King’s suit to a speedy determination; and at the same time intimating, in very intelligible language, that if he should delay to do justice, he would find that desperate remedies may at length be tried in desperate distempers. An answer to this alarming address was despatched, containing specious

\* Holinshed, vol. iii. p. 755.

† Herbert, p. 125.

explanations and fair promises. But a few days before, Gregory Cassalis, the English agent at Rome, had acquainted his master that the Pope had secretly proposed to allow Henry to wed a second wife during the life of the first. Cassalis suspected this suggestion to be an artifice of the Imperial party, perhaps to bring odium on Henry if he accepted it. It was more probably intended, however, to save the house of Austria from seeing one of its daughters repudiated. This expedient was naturally more acceptable to the Pope, because it implied no charge of usurpation on his predecessor, and perhaps, also, because polygamy was not prohibited by the letter of the Mosaic law. Had the proposal been made at an earlier period, Cassalis might have welcomed a suggestion which would at once have gratified the passion of his master, protected the dignity of an Austrian princess, and preserved consistency between the acts of successive Pontiffs. But the Roman court, with all its boasted state-craft, was unpractised in the policy of concession, and had lingered till after the return of a spring-tide had rendered retreat no longer practicable.

The King and people of England were prepared by several circumstances for resistance to the Papacy, though not, perhaps, for separation from the Church. The ancient statutes for punishing unlicensed intercourse with Rome, which were passed when the residence of the Popes at Avignon threw them into the hands of France, had familiarised the English nation to the idea of curbing Papal encroachments. The long schism which had divided the Western Church, had inured all Europe to the perilous opinion, that a Pope might usurp, and that a revolt against him might become a duty. The council of Constance had closed the schism, but had struck withal a still more fatal blow at the pontifical power, by subjecting the Papal crown to the representative assemblies of the church. The remains of the English Lollards were roused from their



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places of refuge by the noise of a mightier revolt on the neighbouring continent against the mystical Babylon. The prevalence of the Lutherans along the line of coast which stretches from the mouth of the Meuse to that of the Oder gave the utmost facility to the importation of the new opinions into England. They were gladly received by the traders of the southern sea-ports, the most intelligent and prosperous body of men in the kingdom. The martyrdom of Bilney and others, who laid down their lives for Protestantism, served rather to signalise the growing strength of the revolt than to damp the spirit of reformation. But it may well be doubted whether the bulk of the people were not as yet as unprepared as their sovereign for a total revolution in doctrine and worship. There had been no previous example of success in an attempt so extensive. Both seemed at the period of the divorce ready only to reform ecclesiastical abuses, and to confine the pontifical authority within due limits.

The Queen was residing at the royal manor of Ampt-hill, in Bedfordshire. Cranmer came to the neighbouring priory of St. Peter, at Dunstable; where, by virtue of his duties as primate and legate, he instituted a judicial investigation into the validity of the alleged marriage. The evidence for the King was laid before the court. Catherine, with the firmness of a royal matron, maintained her own dignity and the rights of her daughter. After having been summoned for fifteen successive days, she was pronounced to be contumacious. Soon after Cranmer pronounced his final judgment, declaring the alleged marriage between the King and the Lady Catherine of Castile to have been null and void, and enjoining the parties no longer to cohabit. On his return to Lambeth, by another judgment, he confirmed the marriage of the King with the Lady Anne, which had been privately solemnised by Dr. Lee, afterwards bishop of Lichfield. Anne was shortly after

crowned. As the archbishop had long before publicly avowed his conviction of the invalidity of Catherine's marriage, there was no greater fault than indecorum in his share of these proceedings; for the sentence of nullity only declared the invalidity of a contract which had from the beginning been void. But it must be owned that Cranmer, who knew of the private marriage about a fortnight after it had been solemnised, is exposed to a just imputation of insincerity, throughout his subsequent trial of the question, on which the legitimacy of that ceremony depended. Several preparations had been made for these bold measures. Wolsey had exercised the legatine power so long, that the greater part of the clergy had done acts which subjected them to the same heavy penalties, which had crushed him. No clergyman was secure. The attorney-general appears to have proceeded against the bishops in the court of King's Bench, whose conviction would determine the fate of the clergy. After this demonstration of authority, the Convocation agreed to petition the King to pardon their fault. The province of Canterbury bought this mercy at the price of a grant of one hundred thousand pounds: that of York contributed only eighteen. Occasion was then taken to introduce a new title among those by which the petitioners addressed the King. He was petitioned as "Protector of the Clergy, and Supreme head of the Church of England;" a mode of expression which seemed suitable to the prayer of their petition, rather than intended to be a legal designation. Archbishop Warham supported the designation. Even Fisher consented, on condition of the insertion of the words, "as far as the law of Christ allows." This amendment was, indeed, large enough to comprehend every variety of opinion. But, thus amended, it answered the purpose of the court; which was to take this opportunity of insinuating an appellation, pregnant with pretension, among the an-

CHAP. cient formularies and solemn phraseology consecrated  
 X. by the laws, and used by the high assemblies of the  
 1533. commonwealth. The new title, full of undefined but vast claims, soon crept from the petitions of the convocation into the heart of acts of parliament. A bill against ecclesiastical abuses was (fatally for themselves) combated with success by the bishops and abbots. In the following session more attacks were made upon the Established Church, which seem to have supplied Lord Herbert with a pretext for the ingenious speech on this subject which he puts into the mouth of an anonymous and probably imaginary commoner.\*

The principal members of the administration which succeeded that of Wolsey were the dukes of Norfolk and Suffolk and the lord chancellor More. They were friendly to a reformation of abuses in the Church, though not prepared for a revolution in her doctrine and constitution. The pure and illustrious name of More seemed to suffice as a pledge for a reformation which should be effectual without being subversive of the rights and interests of the Church. To this government was not long after added Thomas Cromwell, a man whose life was a specimen of the variety of adventures and vicissitudes incident to the career of the leading actors in a revolutionary age. The son of a fuller near London, he had served as a trooper in the wars of Italy, and as a clerk at the desk of a merchant of Venice. On his return to England, he studied the law, but was taken into the service of Wolsey, whom he defended in adversity, not only with great ability, but with a fidelity still more respectable. His various experience, his shrewdness and boldness, recommended him to Henry, who required a minister more remarkable for vigour of mind than for delicacy of conscience. He had, perhaps, heard the preaching of Luther; and might have taken part in the sack of Rome. He tempted his master with

\* Herbert, pp. 137, 138.



the spoils of the Church; hinting at the success which had attended the daring policy of the German princes.

No practical measure, however, had hitherto been adopted against the Roman See, but the stoppage of the "annates," or first year's income of vacant bishoprics, from which the revenue of the cardinals was derived. The statute provides every softening compatible with an effective prohibition; making ample provision for private adjustment, and becoming coercive only on failure of compromise. But it touched the connection with Rome on the critical point of money, and gave it to be understood that still larger sources of revenue might be turned to another channel. Convocation had been obliged to undertake that they should make no canons without the King's license; and, though this was softened by limitations, it nevertheless served to throw light on the King's being "Head of the Church," a phrase which it was evident was not intended to remain a vain and barren title. In all these proceedings, Luther was the prime, though unconscious, mover. His importance would be imperfectly estimated by the mere number of those who openly embraced his doctrine. Many there were who, though not Lutherans, were moved by the spirit which he had raised. Some became moderate reformers to avert his reformation. Others adopted cautious and mild views from inclination towards the principles of the great reformer. Many were influenced by a persuasion that it was vain to struggle against the stream; and not a few must have been infected by that mysterious contagion which spreads over the world the prevalent tendencies of an age.

Henry was now on the brink of an open breach with the Apostolic See, and was about to appear as the first great monarch, since the extinction of the race of Constantine, who had broken asunder the bonds of Christian communion. At the next step he might, perhaps, find no footing. He paused. He, as well as his contempo-

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raries, doubtless felt misgivings that the example of this hitherto untried policy might not only eradicate religious faith, but shake the foundations of civil order, and perhaps doom human society to a long and barbarous anarchy. By a series of statutes the Church of England was withdrawn from obedience to the See of Rome, and thereby severed from communion with the other churches of the West. Appeals to Rome were prohibited, under the penalties of premunire: the clergy acknowledged that they could not adopt any constitution without the King's assent: a purely domestic election and consecration of all prelates was established: all pecuniary contributions, called "Peter-pence," imposed by "the bishop of Rome, called the Pope," were abolished: all lawful powers of licensing and dispensing were transferred from him to the archbishop of Canterbury, and his claims to them called usurpations made in defiance of the true principle, "that your grace's realm recognising no superior under God but only your grace has been, and is, free from subjection to the laws of any foreign prince, potentate, or prelate." After thus excluding foreign powers by so strong a denial of their jurisdiction, the same important statute proceeds to affirm that "your majesty is supreme head of the Church of England, as the prelates and clergy of your realm representing the said church in their synods and convocations have recognised, in whom consisteth the authority to ordain and enact laws by the assent of your lords spiritual and temporal, and commons, in this present parliament assembled."\* This bold statute was qualified by a singular clause suspending its execution till midsummer, and enabling the King on or before that day to repeal it; probably adopted with the hope that it might have terrors enough to counter-vail those which were inspired by the Imperial armies. By another statute†, provision was made for the suc-

\* 25 Hen. 8. c. 21.

† 25 Hen. 8. c. 22.

cession to the crown, the object and the bulwark of the ecclesiastical reformation. It confirmed the judgments of Cranmer, pronouncing the marriage with Catherine void, and that with Anne valid. It directed that the Lady Catherine should be henceforth called and reputed only Dowager to prince Arthur, and settled the crown on the heirs of the King by his lawful wife Queen Anne. This succession was guarded by a clause, perhaps unmatched in the legislation of Tiberius, which enacted, "that if any person by writing, print, deed, or act, do, or cause to be procured or done, any thing to the slander, prejudice, disturbance, or derogation of the lawful matrimony between your majesty and the said Queen Anne; or as to the peril, slander, or disherison of any of the issue of your highness, limited by this act to inherit the crown; such persons, and their aiders and abettors, shall be adjudged high traitors, and they shall suffer death as in cases of high treason." All the King's subjects were required to swear to the order of succession, under pain, if they did not, of the consequences of misprision of treason. In the following session all these enactments were sanctioned and established by a brief but comprehensive act "concerning the king's majesty to be supreme head upon earth of the Church of England, which granted him full power to correct and amend any errors, heresies, abuses, &c., which by any ecclesiastical jurisdiction might be reformed or redressed."\* The oath to the succession was also re-enjoined, and its terms somewhat altered. The first-fruits, and tenth of the income of all ecclesiastical benefices, were granted to the King; and commissioners were appointed to value the benefices, with a machinery afterwards so enlarged as to be instrumental in promoting rapine on a more extended scale.

The acquiescence, or rather the active co-operation, of the established clergy, in this revolution is not one

\* 26 Hen. 8. c. 1.



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of its least remarkable features. Several bishoprics were then vacant, in consequence of the disturbance of intercourse with Rome. Six bishops, however, sanctioned by their vote every blow struck at the Church. Fourteen abbots were generally present when the number of temporal peers who attended was only somewhat more than forty. They did not shrink from the deposition of Catherine, reducing her title to that of "princess dowager of Wales." By ratifying the marriage of Anne Boleyn, they adopted those parts of the King's conduct which had most disgusted the people. The bill subjecting the clergy to the King as their sole head was so favourably entertained as to have passed in one day. No division on these measures appears to have taken place. After the vacancies in the episcopal order had been filled up, the usual number of bishops attending without opposition was sixteen. Two prelates, Heath of York, and Tunstall of Durham, were the messengers chosen to convey to Catherine the tidings of her solemn degradation. Whether we ascribe this non-resistance to dread of the King's displeasure, or to lukewarm zeal for the established religion, it affords a striking and instructive contrast to the stubborn resistance of the best and most honest of them in the beginning to moderate reform. They were now compelled to sacrifice more than it was fit so suddenly to have required; and very considerably more than what, while the people were calm, would have satisfied their wishes.

Elizabeth Barton, called the "holy maid of Kent," was at this time a nun professed in the priory of St. Sepulchre at Canterbury. She had for years been held in reverence among the adherents of the ancient faith for her spotless life, and the more than usual ardour of her devotions. She believed herself to be endowed with the power of working miracles, in which was comprehended that of foretelling future events. She thought that, by a timely manifestation of such mighty powers wielded

by a feeble virgin, an evil and corrupt generation might be recalled from that universal apostasy to which they were hastening. Several gentlemen and clergymen of Kent believed in her mission. Even the learned and the wise, the honest bishop Fisher, and the amiable archbishop Warham, gave credit or countenance to her pretensions. The intellect and purity of More himself did not so far preserve the serenity of his mind as to prevent him from yielding to the delusion. At first it should seem that she and her associates were tried only in the Star Chamber, where it was thought sufficient to sentence them to stand at Paul's Cross during the sermon, and to read there a public confession of their imposture. The unhappy woman was subject to faintings and convulsions, the natural consequence of religious emotions agitating a frame weakened by fasting. In her trances she saw visions which naturally turned on the extraordinary events which were passing around her. A transient delirium probably often clouded her mind; though on every subject but her illusion she spoke and thought rationally. She might have heard the death of Henry spoken of as probable in troublous times, and perhaps represented as desirable by Catholics, who were still incapable of abetting it. The presumptuous belief in divine judgments prepared her mind to receive deep impressions from such topics. Nothing could be more natural than that in her wild agitation she should prophesy evil to evil-doers; or that she should denounce punishment against those whom she deemed the greatest criminals. She and her abettors were attainted for high treason, inasmuch as "she," says the statute, "declared that she had knowledge by revelation from God, that God was highly displeased with our said sovereign lord, and that, if he proceeded in the said divorce and separation and married again, he should no longer be king of this realm; and that in the estimation of Almighty God he should not be a

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 X. death."\* The "holy maid" was executed for misfor-  
 1534. tunes which ignorance and superstition regarded as  
 crimes; for the incoherent language and dark visions of  
 a disturbed if not an alienated mind.

Fisher, bishop of Rochester, was attainted by the act against the "holy maid." By a separate statute he was further attainted of misprision of treason for not taking the oath to the succession. But it seems that his age, learning, and virtue might have preserved his life, if the new pope had not endeavoured to secure his services to the Church by making him one of its princes. Henry, who deemed it an indignity to act as if a grace granted by Rome could protect the object of it from his anger, commanded the aged prelate to be put to death, saying, "that the Pope might send a cardinal's hat, but that Fisher should have no head to wear it." With this scurvy jest, and with such brutal defiance, did he begin his career of sanguinary tyranny.

The next deed of blood has doomed Henry's name to everlasting remembrance. The fate of Sir Thomas More was unequalled by any scene which Europe had witnessed since the destruction of the best and wisest, by the monsters who wielded the imperial sceptre of the West. It would be difficult, indeed, to point out any man like More since the death of Boethius, the last sage of the ancient world. Others imitated the Grecian arts of composition more happily; but when we peruse the writings of More which were produced during the freedom and boldness of his youth, we must own that no other man had so deeply imbibed, from the works of Plato and Cicero, their liberty of reasoning, their applications of philosophy to affairs and institutions, to manners and tastes; in a word, their inmost habits of thinking and feeling. He faithfully transmits the whole impression which they had made on his nature. He re-

\* 25 Hen. 8. c. 12.



imprinted it with some enlargement and variation on the minds of his readers. Those who know only his "Utopia" will acknowledge that he left little of ancient wisdom uncultivated, and that it anticipates more of the moral and political speculation of modern times than can be credited without a careful perusal of it. It was the earliest model among the moderns of imaginary voyages and ideal commonwealths. Among the remarkable parts of it may be mentioned the admirable discussions on criminal law, the forcible objections to capital punishment for offences against property, the remarks on the tendency of the practice of inflicting needless suffering on animals to weaken compassion towards our fellow-men. The specious chimera of a community of goods allured him, as it had done his master Plato. The guilt and misery caused by property lie on the surface of society. The infinitely greater evils from which it guards us require much sagacity to unfold; insomuch that it is hard to determine what sort of instinct restrains multitudes in troubled times from making terrible experiments on this most tempting of all subjects. The most memorable of his speculations was the latitude of toleration, which in Utopia, before he was scared by the tumults of the Reformation, he expressly extends even to atheists. "On the ground that a man cannot make himself believe what he pleases, the Utopians do not drive any to dissemble their thoughts by threats, so that men are not tempted there to lie or disguise their opinions."\* It must be owned that he deviated from his fair visions of intellectual improvement after he became alarmed by the excesses of some of the Lutherans. He took part in the execution of the barbarous laws against heretics, as many judges since his time have enforced criminal laws which no good man not inured by

\* Utopia (London, 1684), p. 180. before, the year 1516, and consequently a year before the first preaching of Luther.  
The Utopia appears, from internal evidence, to have been written in, or

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practice could have executed. In his polemical writings however he represents the severities of sovereigns against the new reformers as caused by the tumults and revolts of the latter; and at last declares that he heartily wishes for the exclusion of violence on both sides, trusting to the final triumph of truth. He was the first Englishman who signalised himself as an orator, the first writer of prose which is still intelligible, and probably the first layman since the beginning of authentic history who had been chancellor.

But it is time to turn from the contemplation of merits, rank, and of this eminent person's fame, to the mournful spectacle of his last days. He had been imprisoned for twelve months, apparently in pursuance of his attainder for misprision in not having taken the oath to maintain the succession. He was brought to trial before Lord Audley the chancellor, the duke of Norfolk, the chief justice, and six judges, of whom Spelman and Fitzherbert were lawyers of considerable note. The accusation against him was high treason, grounded on the monstrous clause of the recent act, which made it treason "to do any thing by writing or act which was to the slander, disturbance, or prejudice of the marriage with the Lady Anne; or to the disherison or disturbance of the King's heirs by her." Both More and Fisher proposed their readiness to swear that they would support the succession to the crown as established by parliament; but declined to take the oath, if understood to involve an affirmation of the facts recited in the preamble of the statute. They abstained thereby from affirming or denying, first, that Henry's marriage with Catherine was invalid; secondly, that his marriage with Anne was valid; and, thirdly, they refused to disclaim all foreign authority in the kingdom, the disclaimer extending to spiritual authority, although that is in its nature no more than a decisive ascendant over the minds of those who spontaneously submit to it. More was so enfeebled

by imprisonment that his limbs tottered when he came into the court, and he supported himself with difficulty by a staff. The commissioners had sufficient pity on their late colleague to allow him the indulgence of a chair. His countenance was pale and wan, yet composed and cheerful. His faculties were undisturbed; and the mild dignity of his character did not forsake him. The first witnesses against him were the privy councillors who had at various times examined him during his imprisonment. Their testimony amounted only to his repeated declaration, "that being loth to aggravate the king's displeasure, he would say no more than that the statute was a two-edged sword; for if he spoke against it, he should be the cause of the death of his body; and if he assented to it, he should purchase the death of his soul." It is obvious that this answer might be perfectly innocent, even according to Henry's own code; and that, even if it had amounted to a positive refusal to take the oath, it was only a misprision of treason. Hales, the attorney-general, said, that the prisoner's silence proved his malice. More replied that he said nothing against the oath, but that his conscience forbade him to take it, which could be no more than not taking it. The court were driven to the odious measure of examining a law officer of the crown concerning the real or pretended language of More in a private conversation. Sir Robert Rich, the solicitor-general, was called as a witness; who said that he had visited More in the Tower, and after insinuating that he came there without authority, had asked him whether, if parliament had enacted that Rich should be king, and that it should be treason to deny it, what offence would it be to contravene the act? and that More had owned in answer that he was bound to obey such a statute\*; because parliament can make a king, and depose him. But, being asked whether, if it

\* The sincerity of More's statement is corroborated by the uniformity of his opinion respecting popular consent as a necessary con-



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were enacted by parliament that God was not God, it would be an offence to say according to such enactment? that More had concluded by observing, that parliament might submit to the king as head; but that the other churches of Christendom would not follow their example or hold communion with them. On hearing this testimony, More said, "If I were a man, my lords, that had no regard to my oath, I had no need to be now here; and if this oath which Mr. Rich have taken be true, I pray I may never see God's face, which, were it otherwise, is an imprecation I would not be guilty of to gain the whole world. I am more concerned for your perjury than for my own danger. I am acquainted with your manner of life from your youth, you well know; and I am very sorry to be forced to speak it, you always lay under the odium of a very lying tongue. Could I have acted so unadvisedly as to trust Mr. Rich, of whose truth and honesty I had so mean an opinion, with the secrets of my conscience respecting the king's supremacy, which I had withheld from your lordships, and from the king himself? If his evidence could be believed, are words, thus dropped in an unguarded moment of familiar conversation, to be regarded as proofs of malice and enmity against the established order of succession to the crown?" This speech touched the reputation of Rich to the quick. He called two gentlemen of the court, who had been present at the conversation; but they did not corroborate his story, alleging, most improbably, that their minds had been so much occupied by their own business that they did not attend to the conversation. The truth or falsehood of Rich's account of a confidential conversation very little affects the degree

dition of the justice of all civil government, as appears by his writings, twenty years before his trial:—

*Populus consentiens regnum dat et aufert.*

Quicumque multis vir viris unus præest

Hoc debet his quibus præest;

Præesse debet neutiquam diutius

Hi quam volent quibus præest.

\* \* \* \* \*

of his baseness. But its falsehood, which is much more the probable supposition, throws a dark shade on the character of the triers who convicted More, and of the judges who condemned him.

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After his condemnation, More avowed, as he said, for the first time, that he had studied the question for seven years, and could not escape from the conclusion that the King's marriage with Catherine was valid. Audley the chancellor incautiously pressed him with the weight of authority. "Would you," says Audley, "be esteemed wiser, or of purer conscience, than all the bishops, doctors, nobility, and commons in this land?" "For one bishop," answered the prisoner, "on your side, I can produce a hundred holy and catholic bishops on mine; against one realm, the consent of Christendom for a thousand years." On his return from his arraignment at Westminster, Margaret Roper, his first-born child, waited on the Tower wharf, where he landed, to see her father, as she feared, for the last time; and after he had stretched out his arms in token of a blessing, while she knelt at some distance to implore and receive it, "she, hastening towards him, without consideration or care of herself, pressing in amongst the throng, and the arms of the guard, that with halberds and bills went around him, ran to him, and openly, in presence of them all, embraced him, took him about the neck, and kissed him. He, well liking her most natural and dear daughterly affection, gave her again his fatherly blessing. After she was departed, she, like one that had forgotten herself, being all ravished with the entire love of her dear father, having respect neither to herself nor to the multitude, turned back, ran to him as before, took him about the neck, and divers times kissed him most lovingly; the beholding of which made many who were present, for very sorrow thereof, to weep and mourn."\* In his answer to her on the last day of his life, he expressed

\* Roper, *Life of Sir Thomas More*, Singer's edition, p. 91.

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himself thus touchingly, in characters traced with a coal, the only means of writing which was left within his reach :—“Dear Megg, I never liked your manner better towards me as when you kissed me last. For I like when daughterly love and dear charity have no leisure to look to worldly courtesy.” On the morning of his execution he entreated that his darling daughter might be allowed to attend his funeral. He was noted among his friends for the strength of his natural affection, and for the warmth of all the household and family kindness which bless a home. But he prized Margaret above his other progeny, which she merited by resemblance to himself in beauty of form, in power of mind, in variety of accomplishments, and, above all, in a pure and tender nature. His innocent playfulness did not forsake him in his last moments. His harmless pleasantry, in which he habitually indulged, now showed his perfectly natural character, together with a quiet and cheerfulness of mind, which formed the graceful close of a virtuous life. The only petition he made on the day of execution was, that his beloved Margaret might be allowed to be present at his burial. His friend, Sir Thomas Pope, who was sent to announce to More his doom, answered, “The King is already content that your wife, children, and other friends may be present thereat.” Pope, on taking leave, could not refrain from weeping: More comforted him: “I trust that we shall once in heaven see each other full merrily, where we shall be sure to live and love together in joyful bliss.” When going up the scaffold, which was so weak that it seemed ready to fall, he said to the lieutenant, “I pray you, Mr. Lieutenant, see me safe up; and as to coming down, let me shift for myself.” Observing some signs of shame in the executioner, he said, “Pluck up thy spirits, man, my neck is very short; take heed therefore of a stroke awry, by which you will lose your credit.”\* On kneel-

\* Roper; from whose beautiful narrative the greater part of the text is taken.



ing to receive the fatal stroke, he said to the executioner, "My beard has not offended the King, let me put it aside." That the whole of his deportment in dying moments, thus full of tenderness and pleasantry, of natural affection, of benevolent religion, came without effort from his heart, is apparent from the perfect simplicity with which he conducted his defence, in every part of which he avoided all approach to theatrical menace or ostentatious defiance; and, instead of provoking his judges to violence, seemed by his example to teach them the decorum and mildness of the judgment seat. He used all the just means of defence which law or fact afforded, as calmly as if he had expected justice. Throughout his sufferings he betrayed no need of the questionable aids from pride or passion, which often bestow counterfeit fortitude on a public death.

The love of Margaret Roper continued to display itself in those unavailing tokens of tenderness to her father's remains by which affection seeks to perpetuate itself; ineffectually, indeed, for the object, but effectually for the softening of the heart and for the exalting of the soul. She procured the head to be taken down from London Bridge, where odious passions had struggled in pursuit of an infernal immortality by placing it. She kept it during her life as a sacred relic, and was buried with this object of fondness in her arms nine years after. Erasmus called her the ornament of Britain, and the flower of the learned matrons of England, at a time when education consisted only of the revived study of ancient learning. This great scholar survived More only a few months, but composed a beautiful account of his martyrdom, though, with his wonted timidity, under an imaginary name.

Perhaps the death of no individual ever produced, merely on account of his personal qualities, so much sorrow and horror as that of Sir Thomas More. A general cry sounded over Europe. The just fame of the

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sufferer, the eloquent pen of his friend Erasmus, the excusable pride of the Roman Church in so glorious a martyr, and the atrocious effrontery of the means used to compass his destruction, contributed to spread the utmost indignation. The more considerate portion of men began to pause at the sight of the first illustrious blood spilt in religious divisions already threatening part of the horrors, of which they soon after became the occasion. Giovio, an Italian historian, compared the tyranny of Henry to that preternatural wickedness which the Grecian legends had embodied under the appellation of Phalaris. Cardinal Pole lashed the frenzy of his kinsman with vehement eloquence, bewailing the fate of the martyr in the most affecting strains of oratory. Englishmen abroad every where found their country the object of execration. The Emperor on the arrival of the tidings sent for Sir Thomas Elliot, the English ambassador, and said to him, "My lord, we understand that the King your master has put his faithful servant and wise counsellor, Sir Thomas More, to death." Elliot answered, "I understand nothing thereof." "But," replied Charles, "it is too true; and had we been master of such a servant, we would rather have lost the best city in our dominions than such a counsellor."\* Mason, Henry's agent in Spain, writes with strong feeling of the horror which he saw around him at the imprisonment of the bishop of Rochester, the destruction of More, "the greatest of men," and at the execution of the holy maid of Kent.† "What end this tragedy will come to, God knows, if that may be called a tragedy which begins with a wedding." Harvey, the Resident at Venice, reported the anger of the Italians at the death of men of such honour and virtue. "They openly speak," he says, "of Catherine being put to death, and of the princess Mary speedily following her mother." He declares that

\* Roper, p. 95.

† Ellis's *Letters*, second series, vol. ii. p. 56.

all he hears disgusts him with public life, and disposes him to retire from such scenes.

Cranmer often wanted the courage to resist crimes, but never desired to do evil. He now wrote a letter to Cromwell, earnestly advising the acquiescence of the King in the late proposal of Fisher and More, to swear to the succession as settled by the statute. Such a compliance on the part of these eminent men he urged would extinguish all scruples about the succession, and silence even the partisans of Catherine and Mary. He may be thought blameworthy for thus limiting himself to topics of no very exalted policy, in a case where justice and humanity were so deeply concerned. But it is a decisive proof of his good faith, that he employed the only reasons which he knew were likely to affect the minds with which he had to deal.

Henry had confidently expected that he should overawe More into submission, and embarked in the proceedings without meditating any farther result. At every step of his progress, however, the anger of a self-willed man against those who thwart his passions grew stronger in proportion as the hope of subduing the conscience of More grew feebler. More at last died because his sincerity was perfect, and his probity incapable of being shaken. For in all other respects we know, that though the disorders of a revolution had frightened him out of his youthful free-thinking, he was no slave of Rome, no bigoted advocate for her authority; but zealously maintained the independence of the civil power, and the principles of the Council of Constance, known in modern times as those of the Gallican Church.

Had Henry the Eighth died in the twentieth year of his reign, his name might have come down to us as that of a festive and martial prince, with much of the applause which is lavished on gaiety and enterprise, and of which some fragments, preserved in the traditions of



CHAP. the people, too long served to screen the misrule of his  
X. latter years from historical justice.

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In the divorce of his inoffensive wife, the disregard of honour, of gratitude, of the ties of long union, of the sentiments which grow out of the common habitudes of domestic union and which restrain the greater number of imperfect husbands from open outrage, throw a deeper stain over the period employed in negotiating that unjustifiable and unmanly separation. Most readers justly consider this defiance of the most respectable feelings, and the most ordinary decencies, as very little mitigated by superstitious scruples and unamiable prejudices, of which some admixture may have coloured his passion for a youthful beauty. But the execution of More marks the moment of the transition of his government from joviality and parade to a species of atrocity which distinguishes it from any other European tyranny. This singular revolution in his conduct has been ascribed to the death of Wolsey, which unbridled his passions, and gave loose to his rage. That this was not the opinion formed by Wolsey himself of the King, we know from his dying words, who knew his master enough to foretell that he would prove unmanageable, when his passions were roused. Had Wolsey refused to concur in the divorce, he was not likely to have been better treated than More. Had he stepped into blood, he must have waded onward, or he would have been struck down in his first attempt to fly.

The total change of Henry's conduct relates still more to his deeds as a man than to his system as a king. He is the only prince of modern times who carried judicial murder into his bed, imbruing his hands in the blood of those whom he had caressed. Perhaps no other, since the emancipation of women from polygamy, put to death two wives for infidelity, divorced another, whom he owned to be faultless, after twenty-four years of wedded friendship, and rejected a fourth without im-

putting blame to her, merely from an impulse of personal disgust. The acts of Henry which the order of time now requires to be related must have been much more his own than those of his political counsellors.

Anne Boleyn, acknowledged on all sides to have persevered in her resistance to the unlawful desires of the King, had been now married to him for upwards of two years, and had borne him the Princess Elizabeth. It should seem from Cranmer's language, in a confidential letter, that he believed the child to have been conceived as well as born in wedlock; and it seems to be generally believed, that a child which comes into the world at eight months need exhibit no marks of premature birth. If we should suspect, however, after a matrimonial connection between her and the King had for years been the talk and business of Europe, and when every circumstance at London and Rome was combining to persuade her that she was on the eve of her elevation, that she at last suffered her watchfulness to slumber, how much soever we may regret the stain, we must wonder more at her steady resistance than at her ultimate fall. The death of Catherine, which happened in less than three years after her divorce, at Kimbolton, seemed to leave the new queen in undisturbed possession of her splendid seat. The king of France made some attempts to reconcile his ally of England to the Holy See; a treaty in which Anne would doubtless have been comprehended.

At this moment, when her enemies had been removed, and her prospects were cloudless, a storm broke out against her in the breast of that husband who had a few months before sacrificed the best of his subjects to the honour of her bed and the legitimacy of her issue. We are still uncertain whether he was moved by jealousy, well or ill founded, of her, or by passion for another, or by both these motives conjoined. Lord Herbert of Cherbury, a writer of research, who lived

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not far from the time, affirms, "she had lived in the French court first, and after in this, with the reputation of a virtuous lady; insomuch that the whisperings of her enemies could not divert the King's good opinion. The King had cast his affections on Jane Seymour, the daughter of Sir John Seymour, a young lady then of the Queen's bedchamber,"\* as Anne herself had been in that of Catherine. The love-letters between Henry and Anne, though not free from grossness, yet, when considered as the letters of a royal lover, and of a damsel of his court in the sixteenth century, will be regarded as prodigies of delicacy by the readers of Brantome.† One of the unrefined passages seems even to be a proof of fidelity, inasmuch as it breathes the most ardent desire to be honourably united to her, and exhibits every mark of an humble suit for her hand. He obliged Lord Piercy and Sir Thomas Wyatt to relinquish their pursuit of her. Though the suit of the former had advanced far enough to be thought a promise, he was compelled to quiet the King's suspicions by a hurried marriage with the daughter of Lord Shrewsbury. From one of the most authentic accounts we learn, that "she only at the end yielded to give her consent of marriage to him whom hardly any other was found able to keep their hold against."‡ That she resisted is on all sides allowed; but it is difficult, if it be possible, to assign any time when that resistance ceased, without bringing it so near the period of the secret marriage as to take away the only urgent motive which must be assigned by Anne's enemies for that union. No pregnancy occurred from the first acquaintance till near or after the marriage; a circumstance which cannot be referred to any defect in the constitution of a lady who was twice brought to bed within little more than two years after

\* Kennett, sub anno.

† Cavendish, p. 128.

‡ Lettres de Henry VIII. et Anne Boleyn, vol. iii. pp. 117. 139.



the time of marriage. He reproaches her for cruelty to one "who was one whole year struck with the dart of love;" which fixes the commencement of his passion nine years before. Had she yielded before the marriage, it is not easy to see the motive of Henry for such persevering ardour. "Waxing great again, the time was taken to steal the king's affection from her, when most of all she ought to have been cherished."\* The sycophants watched the growth of his unnatural distaste. "Unkindness grew, and she was brought to bed before her time, with much peril of her life, of a male child dead born, to her most extreme sorrow." The King is said to have in these circumstances brutally reproached her for the loss of his boy. "Some words broke out from her heart, laying the fault on the King's unkindness,"† and on his visible passion for Jane Seymour. Other equally credible accounts ascribe the premature birth to the alarming intelligence of the King's having been thrown from his horse while hunting; which, independent of affection or humanity, would have endangered her own greatness and the succession of her daughter. Both circumstances might have concurred. Sir John Spelman, one of her judges, mentions a dying declaration of Lady Wingfield, transmitted to the King by Lady Rochford, the wife of Anne's brother, as having made a strong impression on that prince. These narratives are rather various than contradictory; but none of them would probably have been thought of seriously, if the rumour had not received life and strength from the rising passion for Jane Seymour. The popular story of a scene in the tilt-yard at Greenwich, on May-day, of a handkerchief dropped by the Queen, taken up and gallantly returned to her by Henry Norris, her supposed lover, having kindled the jealousy of Henry so that he suddenly left the joust, commanding the Queen to be confined to her apart-

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\* Wyatt, Memoir of Anne Boleyn, p. 443.

† Wyatt.

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ments, and her accomplices to be sent to the Tower, must be either altogether a pretext, or one of those "trifles light as air," which are proofs only "to the jealous." For it has lately been discovered, that about a week before, a commission was issued, directing certain peers and judges (one of whom, Thomas, earl of Wiltshire, was the father of Anne), to inquire into her alleged misdeeds. Facts must have been collected, and some deliberation on their effect have taken place, before the formal completion of such a commission. Whatever occurred afterwards could have no more than a faint influence on the succeeding events. These measures must, therefore, have commenced when she was scarcely recovered from the birth of her still-born son, and while her husband, her father, and her uncle, though conscious of her impending fate, were treating her with courtesy, and probably with apparent kindness.

A tolerable diary of the last seventeen days of Anne's life may be collected, chiefly from the letters of Sir William Kingston, lieutenant of the Tower, to Cromwell.\* She was brought from Greenwich to the Tower by her uncle Norfolk. She knelt at the gate of that fortress, late her palace, now to be her prison, and ejaculated a short prayer†, — "O Lord, help me, as I am guiltless of this whereof I am accused?" — She said to the lieutenant, "Mr. Kingston, do I go into a dungeon?" "No, madam," he answered; "you shall go into your lodging where you lay at your coronation." The recollection seemed to overpower her; for she cried out, "It is too good for me: Jesus, have mercy upon me!" She knelt, weeping, and in the same "sorrow fell into a great laughing." Her female attendants, and even her aunt Mistress Boleyn (as if to keep up the consistency of this unnatural tragedy), were placed about

\* Strype Memorials (Oxford, 1822), vol. i. pp. 430—440. Ellis, first series, pp. 41—52.

† Wyatt, p. 444.

her as spies. They reported, with atrocious accuracy, all the incoherent ravings of her hysterical agitation. They used the arts of tormentors to inveigle her into admissions of criminality. They cross-questioned her with respect to the logical consequence and grammatical construction of the words which had burst from her in an almost frenzied condition. But she declared to Kingston from the beginning, and repeatedly affirmed in other words, "I am as clear from the company of men as I am from you: I am the King's true wife."

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During Anne's imprisonment, Cranmer, who had been forbidden to approach the court, wrote a skilful and persuasive letter, (if any skill could curb furious appetites, if any persuasion could allay raging passions,) imploring the King's mercy towards her, "his life so late and sole delight." On the same day is dated that no less touching than beautiful letter to the King, which, seemingly with reason, has been ascribed to the pen of Anne Boleyn herself. It is not wonderful that the excitement of such a moment, if it left her calmness enough to write, should have raised her language to an energy unknown to her other compositions. If this explanation from Lord Herbert should be deemed inadequate to account for the singular exactness and elegance of the composition, why may we not suppose, consistently with its substantial authenticity, that a compassionate confessor, or one lingering friend, may have secretly lent his hand to refine and elevate the diction? Sir Thomas Wyatt, one of the fathers of English poetry (to take an instance), could not have forgotten that his heart had once been touched by her youthful loveliness; and if he had been moved by a generous remembrance of affection to lend his help at her utmost need, he would assuredly not have disturbed any of the inimitable strokes of nature which she could scarcely avoid, but which it is unlikely that he, with all his genius,



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could have invented. In a day or two after, she was carried to Greenwich to be examined before the Privy Council, where all the artifices of veteran pettifogging were exhibited by hoary counsellors in the examination of a young woman of twenty-seven, whose ears were wont to be soothed by the softest sounds of admiration and tenderness. Norfolk interrupted her defence with a sort of contemptuous disgust, muttering *tut, tut, tut!* She complained, on her return to the Tower, to the lieutenant and to her more merciless attendants, — “I have been cruelly handled by the council.”

Nine days after Anne's imprisonment, an indictment for high treason was found by the grand jury of Westminster against her. Henry Norris, groom of the stole; Sir Francis Weston and William Brereton, gentlemen of the privy chamber; and Mark Smeaton, a performer on musical instruments, and a person “of low degree,” promoted to be a groom of the chamber for his skill in the art which he professed, were also included in the indictment. It charges the Queen with having, by all sorts of bribes, gifts, caresses, and impure blandishments, which are described with unblushing coarseness in barbarous Latinity, allured these members of the royal household into a course of criminal connection with her, which had been carried on for three years. It included also George Boleyn, Viscount Rochford, her brother, as having been enticed by the same lures and snares to become the accomplice of his sister. It is hard to believe that Anne could have dared to lead a life so unnaturally dissolute, without such vices being early and generally known in a watchful and adverse court. It is still more improbable that she should in every instance have been the seducer; and that in all cases, as alleged in the indictment, the enticement should have occurred on one day, while the offence was not completed for several days after. Norris, Weston, Brereton, and Smeaton were tried before a commission of oyer

and terminer. They all, except Smeaton, firmly denied their guilt to the last moment. Regarding Smeaton's confession it must be observed that we know not how it was obtained, how far it extended, or what were the conditions of it; that his humble condition would render it more easy to subdue his spirit; and that his ignorance would naturally lead him to interpret every word of favour to himself in a stronger sense than those would do who better understood the cajoling language of courts. That statesmen eager to accomplish the purpose of their master, in examinations shrouded from every impartial eye, should have religiously abstained from promises and threats, is at least a very improbable hypothesis. It is easy to excite hopes of mercy, though all intention or authority to do so is expressly disclaimed. In this case we know that the usual artifice of saying or hinting to each prisoner that his fellows had confessed, was amply practised. Indeed, the terrors of the confessional might account for groundless admissions of guilt from men more enlightened, or more liable to be degraded by falsehood, than Smeaton. The confessor, seated in a place where he could neither be heard nor seen, might overawe his penitent into a belief that an acknowledgment of the justice of legal and royal acts was the only amends which could be made for the offence charged. The exercise of this invisible and inscrutable power can never be safely committed to human frailty. The sincerity and probity of a confessor would be no security in such a case as Anne's. The majority of the English priests believed every story circulated against her, regarding with horror the usurper of the excellent Catherine's throne, and the adulterous seductress of King and people from the Church. Those employed might be the most exemplary of the ecclesiastical body; but they were also the most credulous and partial in whatever regarded her, and the most prone to magnify the merits of confession, in a case

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The four accused were condemned to die. Their sentence was carried into effect amidst the regrets of the bystanders. Sir Francis Weston was a youth whose birth, figure, and graceful skill in every manly exercise had excited such general pity, as to embolden his mother and wife to throw themselves at the feet of Henry, and to tempt him by a ransom of a hundred thousand crowns. Pride, or revenge, or mere hardheartedness, prevailed over the bribe.

Anne and her brother were then brought to trial in a hall erected for the purpose within the Tower, before the Duke of Norfolk, created lord high steward for the occasion, assisted by twenty-six "lords triers," who performed the functions of a sort of jurors, formerly often used during the vacation or interruption of parliament. The reason assigned for the choice of the Tower was consideration for the feelings and dignity of the royal culprit, which had disposed the King to spare her a public trial. "But," says an ancient writer, "it could not be to conceal the heinousness of the accusation, though that might be the pretence; for that was published in parliament a few weeks after."\* "The proceeding," says he, "was enclosed in strong walls." At all events, the place of trial, even if chosen for state or delicacy, concealed from the public eye whatever might be wanting in justice. Rochford first appeared seemingly apart from his unhappy sister. "There was brought against him, as a witness, his wicked wife, accuser of her own husband to the seeking of his blood."† His defence was celebrated at the time for force and effect. "Not even More, so rich in learning and eloquence, defended himself better against his enemies."‡

\* Cavendish, p. 444.

the daughter of Henry Lord Parker and Mounteagle.

† Wyatt, p. 446. This detestable woman, whose name never should be forgotten, was Jane Parker,

‡ Histoire de Anne Boleyn; a metrical narrative, p. 198.



His triers are said to have been at first divided in opinion. Anne was then required by a gentleman usher to come to the bar, where she appeared immediately without an adviser, and attended only by the ignorant and treacherous women of her household. "It was every where muttered abroad, that the Queen in her defence had cleared herself in a most noble speech." \* All writers who lived near the time confirm this account of her defence. "For the evidence," says Wyatt, "as I never could hear of any, small I believe it was. The accusers must have doubted whether their proofs would prove their reproofs, when they durst not bring them to the proof of the light in an open place." The description of this scene by the narrative versifier bears marks of accurate intelligence and minute observation. "The Queen," says he, "defended her honour calmly against the imputation of unutterable turpitudes. She proved that she was conscious of a righteous cause, more by a serene countenance than by the power of language. She spoke little; but no man who looked on her could see any symptoms of criminality. She listened with an unchanged face to sentence of death passed upon her by her uncle. When he had closed, clasping her hands, and turning up her eyes towards heaven, she uttered a short prayer:—'Oh Father of mankind! the way, the life, and the truth, thou knowest whether I have deserved this death.' Then turning round to the judges (among whom it was some satisfaction to incline to the belief that her father did not sit), she said to them,—'I will not call your sentence unjust, nor imagine my reasons can prevail against your convictions: I will rather believe that you have some good reason for what you have done; but I hope it is different from those which you alleged in giving judgment, for I am clear from all the offences which you then laid to my charge. I have been ever faithful to the King, though I do not say that I

\* Wyatt, p. 448.

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have not been wanting in due humility to him, and have allowed my fancy to nurse some foolish jealousy of him. Other misdeeds against him I have never committed.'” In the mean time Anne’s accomplices were executed. Norris, Weston, and Brereton persisted in the denial of the charge: Smeaton, who owned his own guilt, and declared that of the rest, was the last executed; so that he may have harboured hopes of life till it was too late.\*

From the apprehension of Anne to her cruel examination at Greenwich, her existence was moral torture. Every wild and rambling word uttered in that agony, every answer extracted from her by an insidious or threatening inquisition, every misremembrance occasioned by hurry or faintness, were registered minutely; and in the depositions of her treacherous attendants became sufficient evidence. She passed from laughter to weeping, from hysterical convulsions to trembling delirium. At every stage she was equally watched and harassed by these wicked women; and her distempered language rose up in unrighteous judgment against her. After her day of suffering at Greenwich she betrayed no more morbid weakness. She contemplated death firmly, and seems to have felt that her only remaining objects were the propriety and dignity of her conduct. Conscience, even when the exercise of its power is painful, engrosses the whole soul, and lifts it above the fear of bodily harm. From this moment she regarded death with calmness; and in the end looked forward to it as to a relief. One other trial awaited her, of which the particulars are little known to us. In a letter of the earl of Northumberland, that nobleman states that he had disclaimed upon oath his precontract with her.

About thirty-six hours after sentence of death had

\* If we suppose any rules of law to have been observed on this occasion, it is a suspicious circumstance that Smeaton, who might otherwise have been confronted with the queen,

was disabled from being examined as a witness by condemnation for high treason before her trial; which might easily have been avoided by a delay for three days.

been pronounced on her, and about the time when her brother was suffering his punishment, she was brought to Lambeth, where she was to go through the forms of trial once more, in order that Cranmer (who must then have been either the most unhappy or the most abject of men) might act the mockery of pronouncing the nullity of her marriage with the King. He pronounced it never to have been good, "but utterly void, in consequence of certain just and lawful impediments, unknown at the time of her pretended marriage, but confessed by the said Lady Anne before the most reverend father in God sitting judicially."\* No authentic record is known to exist of the particulars of this wanton disturbance of her dying moments. It is singular, but it forms an additional presumption against the prosecutors, that even the general nature of the alleged "impediment" is not hinted in the statute. No supposition is so probable as that it was the pre-contract with Northumberland, which it might be pretended was recently "known" by new evidence.† The motive for this proceeding was perhaps a desire of the King to place both his daughters at his mercy, on the same level of illegitimacy; and the fears of his ministers, solicitous to involve the primate in their own criminality, and to cover by forms of law ‡ what never could have any semblance of justice.

\* 28 Hen. 8. c. 7.

† It has been supposed, that the unnamed impediment on which the sentence of nullity rested was the cohabitation of Henry with Mary Boleyn, which created a canonical impediment to his marriage with Anne; taken away, indeed, by the dispensation of Clement, but revived in England by the rejection of the papal authority. This, however, is no more than a bare supposition, and not quite so much to those who do not hold Sanders, or even Pole, Anne's mortal enemies, to be con-

clusive witnesses against her. If there had been such a commerce, the statute and the sentence must have stated, as their main ground, a notorious falsehood; for the commerce, if at all, must have been before the act of settlement. Add to this, that Anne is declared in both the sentence and the statute, to have *confessed* the impediment, which she could not have done if the nullity had depended on the supposed intercourse of Henry with Mary Boleyn.

‡ It seems to be doubtful whether these proceedings for treason



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Soon after we find an order issued for the expulsion of strangers from the Tower; a small fact, but characteristic of tyranny, which dreads pity as a natural enemy. In spite of this exclusion of those who might commiserate the fate of the victim, the reports of the lieutenant to his master Cromwell throw some light on the last morning of her life. When he came to her, after repeating her solemn protestations of innocence, she said to him, — “‘ Mr. Kingston, I hear that I am not to die before noon, and I am very sorry for it, for I thought to be dead and past my pain.’ I told her it should be no pain. She answered, — ‘ I heard say, that the executioner of Calais who was brought over, is more expert than any in England: that is very good, I have a little neck,’ putting her hand about it, and laughing heartily;” \* a transient and playful recurrence to the delicacy of her form, which places in a stronger light the blackness of the man who had often caressed and now commanded that it should be mangled. “ I have seen men,” says Kingston, “ and also women, executed, and they have been in great sorrowing. This lady has much joy and pleasure in death.” Is there any example in history of so much satisfaction, and so much calmness in any dying person who is ascertained to have been guilty of acts owned by them to be great offences, and perseveringly denied to have been perpetrated by them? When brought to the scaffold, which was erected within the Tower, she saw herself surrounded by those who, a month before, would have trembled at her frown. The dukes of Suffolk and Richmond, the chancellor Audley, and secretary Cromwell, together with the mayor and aldermen of London,

were not, after Cranmer’s sentence of nullity, illegal. It is, at least, questionable whether, as soon as Anne’s marriage was decreed to be *null*, the attainder was not necessarily over-

thrown; since no union but that of legal matrimony could transmute her infidelity into treason.

\* Ellis, vol. ii. pp. 64—67.

constituted her auditory. On the scaffold she uttered a few words: "Good Christian people, I am come hither to die according to law; by the law I am judged to die, and therefore I will speak nothing against it. I am come hither to accuse no man, nor to speak any thing of that whereof I am accused. I pray God save the King, and send him long to reign over you; for a gentler\* or more merciful prince was there never. To me he was ever a good, gentle, and sovereign lord. If any person will meddle with my cause, I require them to judge the best: thus I take my leave of the world and of you, and I heartily desire you all to pray for me." Even the hardhearted courtiers could not affect displeasure at this guarded language, probably suggested by Cranmer in the sad interview of the preceding day. It is the phraseology of a canonist, and betrays the wariness of a timorous man who clings to some petty hope in the worst event, and on this occasion accounted it an advantage that Anne should not provoke Henry against their child; and at the same time that she should not be importuned to make a confession of guilt. She seemed to be the only person present who had a perfectly composed mind. All the bystanders not corrupted by the court were melted into tears, having, like the rest of the public, survived their original prejudice against her. She removed the hat and collar, which might hinder the speedy action of the sword; and humbly kneeling, repeated several times before the blow, "Christ, I pray thee, receive my spirit!" Those of her female attendants who were faithful, though fainting and drowned in tears, would not trust the remains of their beautiful and beloved mistress to the executioner and his rude assistants. They washed away the blood which now made her face ghastly and her fair form an object of horror. "They wandered," says the metrical narrator, who describes this scene as if

\* Perhaps in the sense of "nobler."

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X. shepherd." Her body was thrown into a box, and inter-  
1536. rred without ceremony in the chapel of the Tower.

In surveying Anne's case, it may be remarked that her departure from honour, even on the eve of marriage, has not been proved; and that the general profligacy of her youth is the mere assertion of her enemies, inconsistent with probability and unsupported by proof. Whether in the last year of her life she touched, or overpassed, the boundaries which separate female honour from the delicacy and decorum which are its bulwarks, is a question which, though it gives rise to more doubtful inquiries, can never be considered as answered in the affirmative by frantic language uttered in agony both of mind and body; nor by the testimony of Smeaton, contradicted by all whom he called his accomplices; still less by the brief statements of originally inadequate evidence in historians unacquainted with legal proceedings; and least of all by the verdicts and judgments of such a reign as that of Henry, in which, though guilt afforded no security, virtue was the surest path to destruction.

The infliction of death upon a wife for infidelity might be a consistent part of the criminal code of Judea, which permitted polygamy on account of the barbarous manners of the Jewish people, and, by consequence, allowed all females to remain in a state of slavery and perpetual imprisonment. Even then, however, the man would not have been accounted virtuous who should have availed himself of such a permission, so far as to put a woman to death, unless, perhaps, as a palliation of an act done in the first transports of jealous rage. Henry alone, it may be hoped, was capable of commanding his slaves to murder, on the scaffold, her whom he had lately cherished and adored, for whom he had braved the opinion of Europe, and in maintenance of whose honour he had spilt the purest



blood of England, after she had produced one child which could lisp his name with tenderness, and when she was recovering from the languor and paleness of the unrequited pangs of a more fruitless childbirth. The last circumstance, which would have melted most of human form, is said to have peculiarly heightened his aversion. Such a deed is hardly capable of being aggravated by the consideration that, if she was seduced before marriage, it was he who had corrupted her; and that if she was unfaithful at last, the edge of the sword that smote her was sharpened by his impatience to make her bed empty for another. In a word, it may be truly said that Henry, as if he had intended to levy war against every sort of natural virtue, proclaimed, by the executions of More and of Anne, that he henceforward bade defiance to compassion, affection, and veneration. A man without a good quality would perhaps be in the condition of a monster in the physical world, where distortion and deformity in every organ seem to be incompatible with life. But, in these two direful deeds, Henry perhaps approached as nearly to the ideal standard of perfect wickedness as our moral nature will allow.

While Henry was thus spreading horror around him, which, as we are told by Erasmus, rendered the most intimate friends fearful of corresponding with each other, his difference with Rome had not yet extended to doctrine, but was confined to the rejection of the Papal jurisdiction, and to a consequent separation from the churches which maintained their allegiance to the Holy See. He was a schismatic or separatist, inasmuch as he had thrown off the ancient jurisdiction of the Roman Patriarch. He was not a heretic, not as yet having affirmed any proposition contradictory to the doctrines of the Catholic Church. On the other hand, the title of "supreme head of the Church of England" was assumed by Henry with considerable wariness, in language which might be addressed to subjects in one

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sense, and defended against antagonists in another; which was capable of a larger meaning in prosperity, and a more contracted in adversity; and which was remarkable for the gross but common fallacy, of giving an appearance of consistency to jarring reasons, by the use of the same words in different acceptations. These arts or artifices of policy, which discovered the extent and importance of the revolution only by slow degrees to the people, are observable in the statutes of the twenty-fifth and twenty-sixth years of this reign. The preamble to these statutes recites, "that the crown of England is independent, and that all classes of men, whether of the spirituality or of the temporality, owe obedience to it; that the Church of England has been accustomed to exercise jurisdictions in courts spiritual; and that the encroachments of the bishop of Rome from ancient times had been checked by the king's renowned progenitors." It is evident that the doctrine concerning the King's supremacy might well be reconciled with the Papal authority, if the latter were confined to a strictly spiritual jurisdiction on the part of the Pope, and if the former were limited to civil and coercive powers on that of the King. But though the most learned Romanists have generally agreed that the coercive powers of the ecclesiastical courts arose from grants of certain portions of civil jurisdiction made by the state to the clergy\*, yet the court of Rome has never been willing to limit itself by any formal act to this narrow and dependent jurisdiction. On the other hand, however the words of this statute might be otherwise construed, it was intended by such swelling novelties of expression to inure the minds of the people to unwonted modes of thinking on the relation between the Papal jurisdiction and the Regal power.

Willing, however, to maintain the equipoise between ecclesiastical factions, Henry caused to be passed, in the

\* For example, in testamentary and matrimonial causes.

year following, a statute for the punishment of heresy, in which he inscribed his adherence to orthodox doctrines in characters of blood, directing that "all persons convicted of heresy, before the ordinary of the diocese, and refusing to abjure, or relapsing after abjuration, should be committed to the lay power, to be burned in open places for the example of others:" at the same time providing, "that no speaking against the bishop of Rome's authority made and given by human law and not by holy Scripture, or against such authority where it is repugnant to the laws of this realm, should be deemed to be heresy."\* The series of statutes on this head is closed by a short but comprehensive act of the parliament, wherein it is enacted, that "the King of this realm should be reputed to be the only supreme head of the Church of England; that as such he should enjoy all titles, jurisdiction, and honours to the said dignity appertaining; and that he should have full authority to correct all errors and abuses which might lawfully be corrected by any spiritual jurisdiction; any usage, prescription, foreign laws, or foreign authority to the contrary notwithstanding."† It is obvious that the first provision, as it does not define the office enacted to be vested in the King, would of itself confer nothing but a title; that the second contains a falsehood, as far as it intimates the previous existence of this office, or any knowledge of its rights; while, on the other side, it leaves without elucidation the question, whether it was intended to assert only, like the former acts, the identical proposition that the King is the sovereign of all classes of his subjects. It passes over the essential distinction between what the King may do out of parliament by his royal prerogative, and what he can do only in parliament by the consent of the estates of the people of the realm. It may mean that the king and parliament are dependent in no respect on foreign

\* 25 Hen. 8. c. 14.

† 26 Hen. 8. c. 1.



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power, and that the legislature may change by new laws the arrangements of any institution, however respectable, which can owe its being and establishment only to law. It is under the cover of all this vague and loose language, which treats the headship of the Church as if it were an ancient and well-known magistracy, that the unwary reader is betrayed into a notion that this statute is declaratory, and that the power of jurisdiction and amendment in all cases where ecclesiastical superiors formerly exercised such powers, in spite of any usage, prescription, foreign law, or foreign custom to the contrary, was here not so much granted to the crown as acknowledged to be a portion of the ancient prerogative. The jurisdiction of the Pope seemed thus to be totally superseded by the powers vested in the crown. But it was not till the parliament of this year that that was universally disavowed, in so much that the disclaimer of it upon oath was required from the most considerable part of his majesty's subjects. By the "act to extinguish the authority of the bishop of Rome," the maintaining of that authority was subjected to the formidable penalties of premunire; and every public officer, whether ecclesiastical or civil, every person holding place or fee from the crown, or retained in the king's service, or who sued out livery of land from him, or did fealty to him as their superior, all religious professed, all persons taking holy orders, and all who took a degree in an university, before the exercise of their office, were required to make oath that they utterly renounced the bishop of Rome and his power, and instead of consenting to the exercise of papal authority in this realm, would resist it to the utmost; that he would take the King to be the only head of the Church of England, and would defend all statutes made or to be made in extirpation of the bishop of Rome and of his authority, under the pains of high treason, to be inflicted on all such of the above

persons as, being duly required, should refuse to make such oath.\*

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This memorable statute was the first which introduced into civil legislation the union of a promise of submission with a declaration of assent to opinions; which had been long known among ecclesiastics in the cases of submission to superiors, and of subscription to creeds. It treats the refusal to take the prescribed oath as a species of political heresy, the existence of which is to be sufficiently proved by the refusal to swear. In the confusion of its savage haste, it punishes the refusal to abjure the Pope as a higher offence than acts in maintenance of his authority.

By these statutes, together with others prohibiting official intercourse with Rome, the revolution in church government contemplated by Henry was consummated in England, which was thus placed in a situation unlike that of any other state in Christendom, acknowledging the doctrines of the Roman Catholic Church, but placing the King as a sort of lay patriarch at the head of the ecclesiastical establishment.

Thomas Cromwell, who had become Henry's chief minister, was at this critical juncture raised to the new office of the King's vicegerent, "for good and true ministration of justice in all causes and cases touching the ecclesiastical jurisdiction, and for the godly reformation and redress of all errors, heresies, and abuses in the Church."† This appointment the parliament seized the earliest moment of confirming; avoiding, however, the appearance of the necessity of their sanction, by introducing the fact of it and the description of the office into the preamble of a statute for regulating precedence in parliament.‡ It was enacted that the vicegerent should take his seat in the house of peers before the archbishop of Canterbury, and consequently be ranked above all

\* 28 Hen. 8. c. 10.

† 31 Hen. 8. c. 10.

‡ Ibid.

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temporal lords, except those princes of the royal family on whom the dignity of the peerage had been conferred, or had descended. The objects of Cromwell's office were so various that it would have been difficult to define his powers by law, and, being wholly new, they could not have been circumscribed by usage. They were, therefore, really unbounded. The first example of them was made by the progressive suppression of various classes of religious houses, and the seizure of their estates, at that time amounting to a large share of the landed property of the kingdom. We have already seen that the utmost mutual jealousy and animosity had prevailed between the secular and regular clergy from the establishment of the latter class, who had for ages been regarded as constituting the peculiar force of the Roman see. The indolence, ignorance, and indulgence of malignant as well as gross passions, which are apt to follow fugitives from the common vices into their retreat, are all such palpable consequences of specious and well-meant institutions, that their existence requires little positive testimony. They are rather to be calmly examined as results of the general nature of man, than looked at with disgust as the inherent malady of those who only breathe a mephitic atmosphere.

The Franciscan and Dominican orders, who had revived the religious spirit in the thirteenth century, when the zeal of the more ancient fraternities had been buried under their vast possessions, were preserved from utter languor by the poverty which was the basis of their institution. Though they had long ceased to feel the activity of youth, and though the revivers of ancient literature had begun to share with them the conduct of education, they continued to predominate in all the universities, to occupy exclusively the schools of theology, and to exhibit occasionally some models of that austere life which had first given them general popularity. They were still the most eloquent and admired



preachers of their age. The subordination of the monasteries to the provincials, the regularity of the obedience of these last to their general, and the constant residence of the latter at the court of Rome, formed an uninterrupted chain of communication, by means of which the commands of the sovereign Pontiff were conveyed to the humblest friar, with all the secrecy, speed, and order of military discipline. It will not, therefore, excite wonder that of all the Roman Catholic clergy, of whom the far greater part were not the less dissatisfied with Henry's innovations because they were compelled to show subserviency to them in conspicuous stations where resistance was dangerous, the monastic orders should have been the most bitter and irreconcilable enemies of a Church with a lay head, and an establishment calling itself Catholic without a Pope. They were also his most formidable opponents; for they preached to the lowest classes of the people, while their general sat on the steps of the papal throne. The advances towards the destruction of such a body were conducted with the caution required in the execution of measures deemed indeed to be necessary, but acknowledged to be beset with perils. The first attack was made by the parliament of this year, already so memorable for the blows which they had struck at Rome, and the steps which they had made towards an ecclesiastical revolution. They now passed an act to dissolve and grant to the King all religious houses, of all orders and of both sexes, which could not spend two hundred pounds yearly.\* Some appearances were kept up with respect to what in point of justice was the most important part of the case, the provision, namely, for the superiors and members of these communities during their lives. "His majesty," says the statute, "was pleased and contented, of his most excellent charity, to provide for the heads such pensions as should be reasonable." But,

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\* 27 Hen. 8. c. 28.

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vague and unsatisfactory as it was, no such promise was vouchsafed to the humble dwellers of the suppressed houses, who, it seems, were deemed beneath any assurances "of the King's excellent charity." It was only promised that they were either to be supported in some new charitable foundation, or committed for their lives to such of the great monasteries as the King should appoint. The great monasteries were alleged, in the preamble of the act, to be regular, devout, and exemplary. It is probable enough that discipline was more easily maintained in great establishments, where the means of severe punishment were abundant, and the eyes of a numerous community were fixed on the actions of each member. But, though the assertion of this had been universally true, yet the allegation of it in the statute would have been in substance and effect a falsehood, inasmuch as it was not the true motive of the suppression. Stokesley, bishop of London, in a debate on this bill, remarked, "that these lesser houses were as thorns, soon plucked up; but the great abbots were like putrefied old oaks; yet they must needs follow, and so would others do in Christendom."\* This prelate deserves to be mentioned for having had the sense to foresee, and the courage to foretell, the events which immediately followed, and their connection with a general revolution throughout Europe. The number of monasteries which either had been dissolved, or had surrendered, or ransomed themselves by payments of large sums to the King, amounted to three hundred and seventy-six.† They were the legal owners of a large part of the landed property of the kingdom. The number of the monks was probably about six or seven thousand: that of their servants, dependents, and retainers, may be estimated, moderately, at an equal number. One hundred thousand pounds (probably equal to a million and a half at present) came immediately into the exchequer: thirty

\* Burnet, *History of the Reformation*, book iii.

† Ibid.

thousand pounds were added to the annual revenue of the crown. CHAP. X.

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At the moment, however, the confiscation was so unpopular as to occasion much discontent. The people lamented the loss of the perhaps pernicious alms distributed by the monks. Great lords might live at a distance. Small proprietors, who might, in some respects, have replaced the monks, were then thinly scattered. The ruins of magnificent edifices, the spoliation of their richest decorations, hitherto regarded by the people as the ornaments of their little neighbourhood, and the boast of village pride, must have been keenly regretted. They were robbed of their ancient and only ornaments. Every church contained relics, for which a mitigated reverence might have been excused, and an undue veneration was actually entertained. Many small chapels were visited by pilgrims from distant lands. Every parish had miraculous legends, to be deplored, doubtless, as the offspring of credulity, and still more as occasionally the means of fraud; but endearing to the peasants the parochial church, the adjacent convent, and every point of a neighbourhood over which tradition had strewed her tales of prodigy. The people were most affected by the sight of the friars themselves, expelled from home and land, often at an advanced age, and generally after they had become unfitted for bodily toil; all of whom bore outward marks of goodness, and many of whom were doubtless known to the labourers and farmers of the vicinage only by their prayers and their alms. The vices of some, the uselessness of most, were forgotten in the calamity of all, and the merits of a few. The proscribed monks inflamed all these feelings by popular harangues.

The immediate occasion of revolt had been supplied by the injunction of the vicegerent to the clergy, "to proclaim, for a time, on every Sunday, and afterwards twice in each quarter, that the Bishop of Rome's usurped



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power had no foundation in the law of God; to abstain from extolling images, relics, or pilgrimages; and to exhort the people to teach their children the Lord's Prayer, the Creed, and the Ten Commandments in English." \* These injunctions seemed to be inoffensive and almost inefficacious; but some risk must always be incurred by attempts to introduce innovations, however small, into the public worship of a people. It was easy for the clergy to represent the measures of government as only experiments on the patience and simplicity of the people, preparatory to that daring plan of revolution in doctrine and worship which was meditated by the King's heretical advisers. The insurrection first broke out in Lincolnshire, the county where the first visitation of religious houses had taken place. Twenty thousand men appeared in open force, headed or incited by one Mackrel, who assumed the name of Captain Cobler. Their proposals were extremely moderate, chiefly directed against the upstarts preferred in Church and State. This body of insurgents, however, melted away without a struggle. The King, alarmed by more serious risings, granted them a pardon, whereupon the more stubborn and needy fled to their insurgent brethren in the north. There the whole people between the Humber and the Tweed, together with those of Cumberland, Westmoreland, and the northern portion of Lancashire, had taken up arms. They were led into the field by Robert Ask, a man of Yorkshire, whose station entitled him to be called "a gentleman." They assumed the title of a "Pilgrimage of Grace," proceeding in this array to implore with joint prayers "the grace or favour of God." The priests marched before them bearing crucifixes and banners, on which the sufferings of Christ were painted. They obliged all their prisoners to swear "that they should enter into this Pilgrimage of Grace for the love of God, the preservation of the King's person,

\* Burnet, book iii.

the purifying of the nobility, and expelling all villain blood and evil counsellors ; taking before them the cross of Christ, his faith, and the restitution of the Church ; the suppression of heretics and their opinions." The garrison of Scarborough were faithful. Clifford, earl of Cumberland, held out in his castle of Skipton. The other strongholds of the north, however, such as York and Hull, fell into the hands of the insurgents. At Pomfret Castle, Ask persuaded or compelled the archbishop of York, and the Lord Darcy, to take the oath and join his army. Lord Dacre of Gilsland bravely refused to make any concessions. In the course of negotiations which ensued, Ask, seated on a chair of state in the castle of Pomfret, having the archbishop of York on his right hand, and the Lord Darcy on his left, received a herald from the earl of Shrewsbury, commander of the King's troops. Ask refused to allow the herald to read the proclamation of which he was the bearer, but sent him back to Lord Shrewsbury, with a safe conduct. After the King had arrived at Doncaster with a superior force, the Lords Scroop, Latimer, Lumley, and Darcy, Sir Thomas Piercy, Robert Ask, and about three hundred others, on the part of the insurgents, met the duke of Norfolk and Sir William Fitzwilliam, on behalf of the King, in order to consider terms of compromise. The revolvers began by asking a hostage for the safety of Ask. Henry, who by long delay had got them into his snare, haughtily answered "that he knew no gentleman or other whom he esteemed so little as to put him in pledge for such a man." The demands of the Commons, which included the restoration of the Princess Mary to her legitimacy, of the Pope to his wonted jurisdiction, and of the monks to their houses, were rejected with scorn ; and the insurgents were compelled to accept a general pardon, on condition that they should submit to the King's lieutenants, and should rebel no more. Norfolk, who commanded against the revolvers, was

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unwilling to obtain too complete a victory over Catholic opponents; and he secretly warned the King against the danger of strengthening the Lutheran party by the destruction of their antagonists. But the embers of rebellion still glowed.

Various circumstances contributed to exasperate Henry against the Catholic clergy, or afforded him plausible pretexts for the execution of those more extensive confiscations which he or Cromwell originally meditated. It is the nature of all severe policy, even if justified by necessity, to provoke new resistance, where it does not extinguish the spirit of disaffection. Rigour often revives rebellion, and rebellion calls out for redoubled rigour. There are critical moments in the history of most countries, when a government appears to be, as it were, doomed to move in this unhappy circle; which often doubles the righteous punishment of bad rulers, but sometimes also is a severe trial of those who desire to do well. Another insurrection in the north, though quickly subdued, was sufficient to show the fellow-feeling of the people with the clergy. A second general visitation of monasteries now took place, and a board of commissioners was appointed for the superintendence of the revenue confiscated, under the title of "The Court of Augmentation of the King's Revenue." To prepare the way for these commissioners, the richest shrines and the most revered relics were pillaged or destroyed (more especially those of St. Thomas at Canterbury), on allegations, too often true, that they were scenes of gross imposture, where pretended miracles had long undermined all reverence for religion. The aim of these destructive measures was to disgrace and desecrate religious houses in the eyes of the people. Of all the evils of false religion, the worst, perhaps, is, that it engages a multitude of ecclesiastics in the performance of fraudulent mummeries, which must divest both of piety and sincerity a body who are



chosen to teach virtue. The objects of the visitors were so well known, that zealous witnesses against the devoted monasteries were never wanting. In some cases great abuses were detected, and perhaps sufficiently proved. It must also be owned that some of the most disgusting and odious of the offences with which they were charged were not those which were most unlikely to creep into monastic retreats. But it never can be forgotten, that lucre not reformation, plunder not punishment, were the real objects of the visitors; so that proofs of innocence were altogether unavailing, and not even poverty could save. Some, indeed, sought favour by a more promising road; by blackening themselves, their fellows, and their order, and thus helping to render their destruction popular, by averring that "the pit of hell was ready to swallow them up for their ill life;" and by professing "that they were now convinced of the wickedness of the manner and trade of living that they and others of their pretended religion followed." A hundred and fifty abbots and other superiors had surrendered their houses and lands to the crown before the present year. Very effectual examples deterred most ecclesiastics from walking in the footsteps of the refractory monks. The abbots of Reading, Glastonbury, and Colchester (three of the greatest), those of Whalley, Gerveaux, and Salley, together with the priors of Woburn and Burlington, had been executed under colour of having aided the insurgents. Several suffered within sight of their monasteries. The nature of the proceedings may be estimated by the fact, that it has not been found possible to ascertain with precision the particulars of the respective accusations. Those abbots, on the other hand, who had been most forward to betray the communities which they ruled, and the property which they held in trust, were rewarded with pensions proportioned to their dishonesty. At length the system of confiscation was closed and

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sealed by a statute passed this year, which provided that "all monasteries or other religious houses dissolved, suppressed, surrendered, renounced, relinquished, forfeited, or by any means come to his highness, should be vested in him, his heirs, and successors, for ever." \*

Thus was completed, within the space of five years, the confiscation of a fifth or a fourth part of the landed property of England and Wales. It may be a fit moment, therefore, to pause, in order calmly and shortly to review some of the weighty questions involved in this measure. There is no need of animadverting upon the means by which it was effected, though we must assent to the position, that an end which has no means but such as are bad, is a bad end. But the general question may be best considered, keeping out of view any of those attendant misdeeds which excite honest indignation, but which disturb the operation of the judgment. Property is legal possession. Whoever exercises a certain portion of power over any outward thing in a manner which, by the laws of the country, entitles him to an exclusive enjoyment of it, is deemed a proprietor. But property, as the incentive to industry, the guardian of order, the preserver of internal quiet, the channel of friendly intercourse between men and nations, and, in a higher point of view, as affording leisure for the pursuit of knowledge, means for the exercise of generosity, and occasions for the returns of gratitude; as being one of the ties which join succeeding generations, strengthening domestic discipline, and keeping up the affections of kindred; above all, because it is the principle to which men adapt their plans of life, and on the faith of the permanency of which every action is performed; is an institution of so high and transcendent a nature, that every government which does not protect it, nay, which does not rigorously punish its infraction, must be guilty of a violation of the first duties of rulers. The

\* 31 Hen. 8. c. 13.

common feelings of human nature have applied to it the epithets of sacred and inviolable. Property varies in the extent of the powers which it confers, according to the various laws of different states. Its duration, its descent, its acquisition, its alienation, depend solely upon these laws. But all laws consider what is held or transmitted agreeably to their rules as alike possessing the character of inviolability. There may be, and there is, property for a term of years, for life, or for ever. It may be absolute as to the exercise of the proprietor's rights, or it may be conditional, that is, held only as long as certain conditions are performed. There are specimens of all these sorts of property in the codes of most civilised nations. But in all cases the essence of property is preserved, which consists in such a share or kind of power over the outward object as the laws confer. The advantages may be extremely unequal. The inviolable right, however, must continue perfectly equal.

The legal limits of the authority of the supreme legislature is not a reasonable object of inquiry nor indeed an intelligible form of expression. But to conclude that, because the law may, in some sense, be said to create property, the law is to be deemed on this account to be entitled to take it away, is a proposition founded on a gross confusion of two very distinguishable conceptions. It uses the word "property" in the premises for a system of rules, and in the conclusion for a portion of external nature, of which the dominion is acquired by the observance of these rules. It is only in the first of these senses that it can be truly called the creature of law. In the second sense it is acquired or transmitted not by law but by acts conformable to legal rules. It is impossible within our present limits to canvass the small or apparent objections which may occur to this mode of reasoning. It is sufficient, perhaps, here to remark, that these are the generally ac-

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1539. knowledge principles, and that deviations from them in practice are no more than partial irregularities, to which the disturbing forces of passion and interest expose human society.

The clergy, though for brevity sometimes called a corporation, were rather an order in the state composed of many corporations. Their share of the national wealth was immense, consisting of land devised by pious men, and of a tenth part of the produce of the soil set apart by the customary law of Europe, for the support of the parochial clergy. Each clergyman had only an estate for life, to which, however, during its continuance, the essential attribute of inviolable possession was as firmly annexed by law as if it had been perpetual. The corporate body was supposed to endure till it had been abolished in some of the forms previously and specially provided for.

For one case, however, of considerable perplexity there was neither law nor precedent to light the way. Whenever the supreme power should deem itself bound to change the established church, or even materially to alter the distribution of its revenues, a question would necessarily arise concerning the moral boundaries of legislative authority. It would not be about a legal boundary; for no specific limit can be assigned to the right of legislature to exact obedience. The question would be, what governments could do morally and righteously, what it was right for them to do, and what they would be enjoined to do by a just superior, if such a personage could be found among their fellow-men? At first it may seem that the lands should be restored to the heirs of the original grantor. But no provision for such a reversion had been made in the grant, and no expectation of such an occurrence was entertained by the heirs. No habit or plan of life had been formed on the probability of it. The grantors had left their property to certain bodies under the guardian power of

the commonwealth, without the reserve of any remainder to those who, after the lapse of centuries, might prove themselves to be their representatives. It is a case not dissimilar to that of an individual who should die without discoverable heirs, and whose property for this reason falls to the state. It should appear, therefore, meet and righteous that in this new case, after the expiration of the estates for life, the property granted for a purpose no longer deemed good or the best, should be applied by the legislature to other purposes which were better. But the sacredness of the life estates is an essential condition of the justice of such a measure. No man thinks an annuity for his life less inviolable than a portion of land granted to him and his heirs for ever. A life estate may, indeed, be forfeited by a misperformance of duty; but perfect good faith is in such a case more indispensable than in most others. Fraud can convey no title; false pretences justify no acts. There were gross abuses in the monasteries; but it was not for their offences that the monastic communities fell. The most commendable application of their revenues would have been to purposes as like those for which they were granted as the changes in religious opinion would allow. These were religious instruction and learned education. Some faint efforts were made to apply part to the foundation of new bishoprics; but this was only to cover the profusion with which the produce of rapine was lavished on courtiers and time-servers.

It is a melancholy truth, and may be considered by some as an objection to the principles which have been thus shortly expounded, that if in "the seizure of abbey lands" the life estates had been spared, the monks, who were the main stay of papal despotism, and the most deadly foes of all reform, would have had arms in their hands which might have rendered them irresistible. To which it must be answered, that the observance of jus-

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tice is more necessary than security for any arrangement; that many regulations might have stood instead of one deed of rapine; that milder expedients would have provoked fewer and more reconcilable enemies; and that if, on the whole, these afford less security, the legislature are at least bound to try all means before the guardians of right set the example of so great a wrong. Rulers can never render so lasting a service to a people as by the example, in a time of danger, of justice to formidable enemies, and of mercy to obnoxious delinquents. These are glorious examples for which much is to be hazarded. We are assured by Sir Thomas More\*, "that in all the time while he was conversant with the court, of all the nobility of this land he found no more than seven that thought it right or reasonable to take away their possessions from the clergy." So inconsiderable was the original number of those who, not many years after, accomplished an immense revolution in property.

The next act of the King as Head of the Church, was to frame a creed guarded by sanguinary penalties for the species of neutral and intermediate religion which he had now established. Three years before the bishops had been divided into two parties; of whom one, with Cranmer and Latimer at its head, inclined towards reformation, though professing to be of no denomination of Protestants; another, led by Lee and Gardiner, who, without professing any communion with the Pope, strongly leant to the Papal system. The King attempted to settle all differences by a proclamation (issued after long debates in the convocation), using high language on the bodily presence of Christ in the Lord's Supper, but speaking in a more mitigated tone of images, saints, purgatory, rites and ceremonies; matters deemed by many more important than doctrines, as touching the ordinary and daily worship of the people. Gardiner,

\* Apology of Sir T. More, 1533.



bishop of Winchester, so conspicuous in after times for his activity in maintaining the Papal power, now wrote against the primacy of St. Peter himself, in a book, to which Bonner, afterwards bishop of London, contributed a preface. The case of Lambert may be selected as a specimen of the numerous deaths inflicted on those who disbelieved more articles of the Roman Catholic faith than the King. He is called by Cromwell "a sacramentary," or one who held the Lord's Supper to be only a pious rite to commemorate the death of Christ. "The King's majesty," says Cromwell, "for the reverence of the holy sacrament, did sit and preside at the disputation process of the miserable heretic who was burned. It was a wonder to see with how excellent majesty his highness executed the office of supreme head. How benignly he essayed to convert the miserable man: how strong his highness alleged against him."\*

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The new creed was neither completed, nor sufficiently fenced round by penalties, till the act entitled "An act for abolishing diversity of opinions."† By this act, whoever preached against the natural body of Jesus Christ being present in the sacrament, or that there remained any substance of bread and wine in it, was declared a heretic, and was to suffer death by burning. The fluctuating creed of Henry is extended by the second clause, which includes, for the first time, the Lutheran doctrine of consubstantiation; thus marking the least deviation from the orthodox doctrine as criminal in the highest degree. All who preached the necessity of the communion to laymen, or for the marriage of priests, or against the observance of vows of chastity, or the propriety of private masses, or the fitness of auricular confession; all priests who should marry after having advisedly made vows of chastity, were to suffer death as felons; and all who maintained the same errors in any

\* Nott, History of Surrey, vol. ii. p. 328. † 31 Hen. 8. c. 14, or "Law of the Six Articles."

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Cranmer was compelled by the terrors of this statute to send his wife secretly to Germany. The partisans of the old faith openly rejoiced at so decisive a pledge that the King would not wade more deeply into heresy. Latimer, bishop of Worcester, the most upright, sincere, and frank of men, braved the King's resentment by resigning his bishopric within a week after this sanguinary law was passed. His example was followed by Shaxton, bishop of Salisbury, one of the shining lights of "the new learning." But the old religion still retained so much power, or the late policy of the King had been so odious to a large portion of the people, that the persecuting law was popular, and contributed to efface the odium incurred by the spectacle of so many proprietors expelled from their homes.

The variations of policy in this reign have generally some connection with revolutions in Henry's palace and bed. The fate of Anne Boleyn, who, if not attached to the Protestant religion, was at least bound to the Protestant party, was deeply deplored by Cranmer, by Melancthon, and by all the leaders of reformation at home and abroad. Jane Seymour, the new Queen, became friendly to the Protestants from circumstances, which enough is not known of her private history to explain. She died in childbed of Edward the Sixth. The next choice made by or for Henry, who remained a widower for a period of more than two years, afforded an indication of the progress towards reformation. The princess Anne, sister of the duke of Cleves, a considerable prince on the Lower Rhine, who had lately established Lutheranism in his principality, was sought in marriage by the king of England. The pencil of Holbein was employed to paint this lady for the King, who, pleased by the result, gave the flattering artist credit for a faithful likeness. He met her at Dover, and almost

immediately betrayed his disappointment. Without descending into disgusting particulars, it is necessary to state, that though the marriage was solemnised, the King treated the princess only as a friend. He early declared that he had felt a repugnance to her from some personal peculiarities which he described in their full grossness. The king's indisposition to his new wife continued to increase during six months of cohabitation, though we are not told that it prompted him to actual discourtesy. The common pretext of pre-contract, in this case alleged to have been with a prince of Lorraine, was at first suggested. It was at last resolved to accomplish the divorce by means still more undisguised. The House of Lords were consulted on the King's distress. The obsequious peers humbly addressed their master; reminding him of the calamities suffered by the nation from disputed successions, and entreating him to prevent their recurrence, by ordering inquiry to be made into the doubts respecting the validity of his marriage with the Lady Anne of Cleves. The Commons concurred with the Lords, and the King granted their prayer, referring the consideration of the subject to convocation. The whole of this drama had been arranged, and all the parts of it cast, three days before, at the privy council. It is a lamentable fact that a man with so many good qualities as Cranmer should have been a party to such a mockery. The Convocation, however, vied in compliance with the Parliament. They declared the marriage to be null, by the consent of the Lady Anne, and after a full consideration of all the circumstances, none of which they deign to specify.\* Her consent was insured by a liberal income of three thousand pounds a year; and she lived for sixteen years in England with the title of "princess Anne of Cleves." The loyal nobles hastened to entertain a bill for the nullity. Two archbishops and

\* 32 Hen. 8. c. 25. The act for with the Lady Anne recites this dissolving the pretended marriage termination of the clergy.



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 X. Bonner of London and Gardiner of Winchester were two.  
 1540. It is singular, though characteristic of the reign, that  
 this annulment once more displayed the triumph of an  
 English lady over a foreign princess; and that the triumphant  
 beauty should have been the cousin-german of Anne Boleyn. This  
 was the Lady Catherine Howard, niece to the Duke of Norfolk,  
 whom the King wedded about a fortnight after the Parliament  
 had enabled him to form another union. But before we proceed to  
 relate the sequel of this fourth marriage, it is necessary to throw  
 a glance backward on the fate of Cromwell, who was the author  
 of the marriage with Anne of Cleves.

Seldom has any statesman fallen from the summit of power and  
 greatness more suddenly than Cromwell. A bill to attain him of  
 high treason was read the first time on the 17th of June, on which  
 day he took his place as Earl of Essex, and vicegerent of the King,  
 in the royal character of Supreme Head of the Church. So far was  
 the accused from being heard in his defence, that in two days more,  
 the bill was read a second and third time, passed unanimously,  
 and sent down to the House of Commons. On the 29th it came back  
 from the lower house, and was once more passed by the lords without  
 a dissentient voice. He was charged by the bill with heresy and  
 treason; the first, because he favoured heretical preachers, patronised  
 their works, and discouraged informations against them; the second,  
 because he had received bribes, released many prisoners confined  
 for misprision of treason, and performed several acts of royal  
 authority without warrant; but more especially because he had  
 declared, two years before, "that if the King would turn from the  
 preachers of the new learning, yet he, Cromwell, would not; but  
 would fight in the field in his own person, with his sword in his  
 hand, to defend it against the King himself."\* But

\* Burnet, book iii.

the condemnation of a man unheard is a case in which the strongest presumptions against the prosecution are warranted. That he was zealous for further reformation is certain; that he may have used warm language to express his zeal; that he may have transgressed the bounds of official duty to favour the new opinions, are allegations in themselves not improbable. But, as we do not know the witnesses who gave the testimony; as we do not even know whether there were any examined; and, indeed, know nothing but that he was not heard in his own defence; it is perfectly evident that whether the words or deeds ascribed to Cromwell were really his or not, is a question, without decision of which the judicial proceedings (if they deserve that name) may be pronounced to have been altogether void of any shadow of justice. Cranmer, in an earnest and persuasive letter, endeavoured to obtain from the King the preservation of Cromwell's life. The Archbishop, like Atticus, never forsook his friends in their distress; but, like that famous Roman, he too often bent the knee to their oppressors. The execution of Cromwell, though an act of flagrant injustice, was for a time popular. The most active conductor of a wide system of confiscation must do much wrong, besides what is involved in the very nature of rapine. He must often cover his robberies by false accusations and unjust executions. He treats the complaints of the spoiled as crimes. He excites revolt, and is the author of that necessity which compels him to punish the revolters. He connives at the atrocities of his subalterns; for with what face can the leader of a gang reprove banditti for the injustice and cruelty which are the cement of their discipline and the wages of their obedience?

The Roman Catholic party, incensed against Cromwell, neither unnaturally nor unjustly, had now resumed much of their ascendancy. The act of the Six Articles was in the full vigour of its cruelty. In the whole

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course of Henry's fluctuations between his schismatic establishment and his Catholic doctrines, there probably was no period in which he was driven to a greater distance from Protestants than during the six months of his apparent union with a Lutheran princess. The Duke of Norfolk, the leader of the Catholic laity, was suspected of having been influenced by another motive besides the interest of his party, in the share which he took in the destruction of Cromwell. He confidently expected that it would be followed by the elevation of his niece, the Lady Catherine Howard, to the throne; a promotion which promised to serve his cause, as well as to honour his person and enlarge his power. Among the various circumstances which had caused Cromwell to die unpitied, it was not the least, that he had himself set the example of attainder without trial, oftener than any other minister. He fell by his own snares.

One of the most cruel of the iniquitous executions of this reign, was that of Courtenay, marquis of Exeter, with Lord Montague and Sir Edward Nevil, whose guilt seems to have consisted only in their descent from Edward the Fourth. Exeter was charged with the very improbable offence of conspiring to place Reginald Pole on the throne, although the title of Exeter himself was preferable. Reginald Pole, best known as Cardinal Pole, was the son of Margaret Plantagenet, a daughter of the Duke of Clarence, by Sir Richard Pole, a knight of ancient descent in Wales. He passed much of his life in Italy; where he was the rival and delight of the most accomplished poets, artists, and scholars, who adorned that brilliant age. Henry seemed to have been proud of him. He defrayed his relation's expenses munificently, and was eager in his wish to obtain the sanction of a learned and celebrated person of his own blood to his marriages and divorces. He was doubtless sincere in his invitations and offers; but it



might have been unsafe for so near a connection of the house of York to trust himself to the inconstant friendship of his royal cousin. Pole could not forget the murder of his uncle, the earl of Warwick, by Henry the Seventh; more especially as he had himself assured his biographer Beccatelli of the agreement of Henry and Ferdinand, that the death of Warwick should precede the marriage of Arthur and Catherine. It is also probable, though, considering the infidelity then prevalent among Italian men of letters, it cannot be certainly known, that Pole's piety was sincere, and his zeal for the Papal authority honest. At all events, generosity and honour forbade the desertion of faithful companions. Pole declined the advances of the King, and openly professed his condemnation of the divorce. Henry's hatred was kindled in proportion to the ardour of his desires to obtain Pole's friendship and approbation. He took a dreadful revenge. Margaret Pole, a Plantagenet, the Cardinal's mother, was attainted of high treason, perhaps under the pretext of having corresponded with her son. She was imprisoned for two years in the Tower; and treated variously, according as the purpose predominated of subduing or melting her resistance. She was at length beheaded. She refused to lay her head on the block, saying that "it was for traitors to do so, which she was not." She moved, or was thought to move, aside a hair-breadth from the spot. The executioner, alarmed and confounded, struck several blows at her, which covered her grey hairs with blood before they extinguished life.

The King, who had now been married to Catherine Howard for three months, received such information of her dissolute life before marriage, as immediately caused a rigid inquiry into the circumstances. The facts are contained in a despatch from the privy council to the ambassador at Paris; and they are related with a circumstantial exactness, forming a contrast to the

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vagueness of all former proceedings of the like sort. These, which are too gross to be stated, the names of the witnesses, the share of Cranmer in communicating the information to the King (which appears to have been inevitable); in a word, whatever can illustrate or establish a charge, are fully related in the despatch. There is no evidence that Cranmer was ever guilty of a malicious or vindictive act. The confessions of Catherine and of Lady Rochford, upon which they were attainted in parliament, and executed, are not said to have been at any time questioned. It is difficult to withhold our belief from the facts; but the baseness of the parliament, who entreated the King not to give his assent in person to the bill, and the facility with which the latter doomed these females to execution, in spite of the sensibility which the slavish parliament ascribed to him, are very slightly, if at all, extenuated by the truth of the charge. The authentic accounts relate chiefly to the behaviour of Catherine before marriage. Some acts of infidelity are indeed recited in the act of attainder, and were necessary to bring the charge within the forced construction of the statute of Edward. The act contains, however, another abominable clause, making it high treason in any woman whom the King is about to marry, not to confess her unchastity to him, if she has been actually unchaste. This clause, it may be reasonably supposed, would have occurred to no tyrant, if there had been no suspicion of postnuptial offence. To make the concealment of vices a capital crime was worthy of such a reign. The mind of Henry, under colour of preserving the public quiet by guarding the succession, was intent on fencing round a sort of successive seraglio, by all the horrors which could deter intruders from its approaches. His regard to the mere forms of wedlock, joined to a contempt for kindness and tenderness, "the weightier matters of the law," made him a more cruel tyrant than

he could have been, if he had disregarded the exterior as much as he offended against the substance of this important union. It appears, accordingly, that after the tremendous enactment which made the concealment of incontinency a capital offence, the offer of his hand was more dreaded than courted; so that the youthful beauties stood off from a royal seat, which placed their lives at the mercy of the king's mistakes as well as of his passions.

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Three years after the execution of Catherine Howard, the King wedded Catherine Parr, the widow of Lord Latimer, a lady of mature age, who showed the same favourable disposition to the Reformation with all his English wives, except Catherine Howard. By her elevation to the throne, the Reformers obtained compensation for the loss of Lord Audley, the chancellor, their secret but steady friend, who had been succeeded by Wriothesley, a patron of the old doctrine. The prebendaries of Canterbury, excited, as it was believed, by Gardiner, preferred a voluminous accusation against Cranmer; the substance of which was, that he discouraged orthodox preachers and protected heretical; that under him the Law of the Six Articles was unexecuted, and that he was in constant correspondence with the heretics of Germany. The conduct of Cranmer had been wary, and the King showed a friendship for the primate, which the uniform compliance of the latter had too well earned. He escaped from this conspiracy. Sir John Gortwick then complained to the House of Commons against Cranmer for preaching heresy. The King rebuked Gortwick severely. The Roman Catholic party renewed their attack in the Privy Council, complaining that "Cranmer and his learned men had so infected the whole realm with their unsavory doctrines, that three parts of the land were become abominable heretics." The King terminated the affair by declaring, that he accounted "the arch-



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Catherine had read Lutheran books, and even presumed to enter into theological controversy with her imperious lord. Wriothesley and Gardiner were directed to take order for her imprisonment, and to prepare articles of impeachment against her. Hearing this intelligence, she fell into a succession of fits; whereupon the King was carried to her apartment (for he was now too unwieldy to walk), where he said, "Kate, you are a doctor."—"No," said she, "sir, I only wished to divert you from your pain by an argument, in which you so much shine."—"Is it so, sweetheart?" said he; "then we are friends again."\* By this stratagem did she escape the vengeance of the royal polemic, which, during the remainder of her life, she never again ventured to provoke.

In the beginning of this year, Henry renewed his friendship with the Emperor, which had been long suspended by the discussions respecting the divorce and marriage of the English monarch. They concluded an alliance against Francis, whom they represented as in league with the Turks. The beginning of the war was inconsiderable. In the summer of the following year, Henry, who still affected a fondness for warlike shows, passed the seas in a ship with sails of cloth of gold, leaving the regency in the hands of Catherine. The Imperial ambassador urged his immediate advance upon Paris: but the King of England rather followed the example than the counsel of the Emperor, who had already added several French towns to his Burgundian territory. The duke of Suffolk marched to invest Boulogne, which was gallantly defended by Vervins, the French governor. The English general was speedily followed by the duke of Albuquerque, the commander of the Imperial auxiliaries, and by Henry himself, who,

\* Strype, *Life of Cranmer*, chapters 26, 27, and 28.

in spite of his huge and distempered body, came "armed at all points upon a great courser." The lower town was taken in July; but the high town did not surrender till September, and then on terms well merited by a brave defence. The King made his triumphant entry into the city, of which the reduction was somewhat characteristic of his mode of warfare; having a sort of middle character between a siege and a tournament, and having been chiefly remarkable as a display of prowess, and an exhibition of the feats of arms of the youth of two warlike nations. On the same day, the Emperor made a separate peace with France at Creci, alleging Henry's attack on Boulogne as a departure from the general objects of the alliance. A secret article is said to have formed a part of the treaty for the destruction of the religious revolt which was now spreading in France, in the Netherlands, and in Switzerland. But it is not probable that the projects of the continental monarchs were at this period so mature as to have been reduced to diplomatic formalities. The French, under the mareschal de Monluc, were repulsed in an attempt to retake Boulogne. They disembarked in the Isle of Wight and in Sussex. Several indecisive skirmishes occurred at sea. These unimportant hostilities were closed by a treaty somewhat singularly dated "under tents in the fields between Ardres and Guignes," of which the principal stipulation was, that within eight years Henry should receive two millions of crowns, with arrears and expenses; and on payment of these sums, Boulogne and its dependencies should be restored to Francis.

The King's cruelty continued conspicuous to the last, in the alternate but impartial persecution of the Lutherans as heretics, and of the papists as traitors. But it seems to have been somewhat mitigated in his last years to his court and kindred; probably from the languor of distemper, which might put on some appear-

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ance of mildness. The general softening of the royal character, however, was chequered by occasional acts of extreme harshness, which, for the sake of equal justice, may be laid to the account of his occasional paroxysms of pain, which are said to have been unusually acute. His body had become so unwieldy, that he could not be moved without machines contrived for the purpose. An oppression on his breathing rendered it difficult for him to relieve himself by a recumbent posture. The signature of his name became too heavy a task for his feeble or overloaded hands. Stamps with his initials were affixed in his presence, and by his verbal command, to all the instruments which required the royal signature. He became offensive to his humblest attendants by an ulcer in one of his swollen limbs, which often subjected him to an extremity of pain.

It was in this miserable condition of body and mind that an act was done by the failing monarch, or in his name, which has become memorable and interesting from the fame of an illustrious sufferer. Henry Howard, earl of Surrey, is so justly renowned for his poetical genius, which had been then surpassed by none but that of Chaucer; by his happy imitations of the Italian masters; by a version of the *Æneid*, of which the execution is wonderful, and the very undertaking betokens the consciousness of lofty superiority; by the place in which we are accustomed to behold him, at the head of the uninterrupted series of English poets; that we find it difficult to regard him in the inferior points of view, of a gallant knight, a skilful captain, and an active statesman. He had served with distinction in the late war against France, where differences with the earl of Hertford, whom Surrey accused of having supplanted him in command, were widened. Hertford was the brother of Jane Seymour, and the uncle of the young prince. The rapid decay of the King added daily to Surrey's consequence, and in-



creased his desire to secure undivided power over his nephew. Hertford so soon after gave full scope to his attachment for the Reformation, that we cannot suppose him not to have been a Protestant while Henry yet lived. As none of the reformed nobility exposed themselves to legal punishment by an avowal of their faith, so the Catholic lords concealed their attachments to the Papal power, which would have been an unpardonable crime in the eyes of Henry. These circumstances render it difficult to ascertain the real opinions of the earl of Surrey. But we know the opinions of his father, and the inclinations of his family, so perfectly, that there can be little doubt of his having been at least an adherent of the Catholic party. The house of Howard alone stood in the way of the Seymours under the approaching minority. Personal pique, religious dissension, political jealousy, all pointed in the same direction. The means by which Henry was enlisted in the service of this confederacy of passions are unknown; but it is likely that he was easily filled with apprehension by representations of the power and greatness of the Howards, who alone could endanger the royal seat of his son.

Whatever were the motives or means employed, the earl of Surrey, together with his father, was imprisoned in the Tower. The legal ground of proceeding was the sweeping section of more than one recent statute which made it high treason "to do any thing, by word, writing, or deed, to the scandal or peril of the established succession to the crown." The only overt act alleged against him was his having assumed the armorial bearings of Edward the Confessor, which had been hitherto exclusively used by the kings of England. Of the witnesses examined in support of this charge, the first was Mrs. Holland, the mistress of the duke of Norfolk. She only mentioned the duke's having blamed his son for want of skill in quartering the family arms, and

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spoken with warmth against the new nobility (meaning the Seymours), who did not love him. The second witness was the duchess of Richmond, the widow of Henry's natural son, a young and beautiful woman, who, though the daughter of Norfolk, now appeared to swear away the lives of her father and brother. She deposed that her brother Surrey had spoken with asperity of Hertford; that he had professed a dislike of "the new nobility," and complained of the King as the cause of the defeat of the English before Boulogne. She added, seemingly of her own accord, that Surrey wore on his arms, instead of a ducal coronet, what seemed to her judgment very like a close crown, and a cipher, which she took to be the King's *H. R.*; two matters, however, which had no connection with the accusation. Surrey was on this absurd charge, supported by such monstrous evidence, convicted of high treason. He was executed, either six or eight days before Henry died, "who," says Holinshed, "on the day of lord Surrey's execution, was lying in the agonies of death." As the King's sick bed was surrounded by Surrey's enemies, it must be always uncertain whether the hand of Henry was, even in the lowest bodily sense, affixed to the warrant of execution.

The duke of Norfolk, who seems to have owed his misfortunes originally to the resentment of the duchess, whom he had long deserted for the mistress before mentioned, was importuned into a confession of acts subjecting him to the punishment of treason. A bill of attainder was introduced, founded on his confession. The royal assent was given to it in virtue of a commission signed with the King's stamp, and orders were sent to the Tower for the execution next day. But Henry died in the night; and it was accordingly indefinitely postponed. The duke was confined during the next reign; but in that of Mary the attainder was reversed, on the grounds that the act could not be

treason, because the arms mentioned in the indictment had been long publicly borne in the presence of the kings of England; that the King had died in the night following the day on which the commission bore date; that the commission was not signed with his name, but with a stamp put thereunto not in the place where he had been accustomed to put it; and that the royal assent could only be given by the King, either in his own person or by letters patent under the great seal.

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At two o'clock in the self-same morning, Henry the Eighth breathed his last in his palace at Westminster, in the fifty-sixth year of his age, and thirty-fifth of his reign. The day following, parliament met according to adjournment, and transacted ordinary business. It was not till two days after "that, in presence of all the peers, and of the knights and burgesses, Wriothesley the chancellor announced to them the decease of their late dread lord, which," says the record, "was unspeakably sad and sorrowful to all the hearers; the chancellor himself being almost disabled by his tears from uttering the words: at last, however, when they had composed their lamentations and consoled their grief by calling to mind the promise of ability and virtue already given by Prince Edward, and having heard a great part of the King's testament read by Sir William Paget, secretary of state, the present parliament was declared by the lord chancellor to be dissolved by the demise of the crown."

This parliamentary consideration for a royal testament implying the right of bequeathing a nation which had been so decisively repelled in the minority of Henry the Sixth, requires some explanation. The act of settlement passed on Henry's marriage with Jane Seymour had vested the power of bequeathing the realm in the crown on failure of legitimate issue, none such having been then in existence. About three years before the King's decease, this unbounded and oriental



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power had been abridged by statute, which, after the failure of male progeny, limited the succession to Mary and Elizabeth, without any consideration of their irreconcilable claims, or of their common illegitimacy; on condition, however, of these princesses observing the terms, if any, to be prescribed by the King; and in the case of their death or forfeiture, the unlimited power of devise was revested in the crown. The King's property in his people was still maintained, as his daughters were not to inherit by the fundamental laws, but to receive a conditional and defeasible authority under his will. By that document, executed shortly before his death, the powers of government were, during the minority, vested in fifteen persons therein named (called in the will executors, to keep up the language of the doctrine of ownership).

Some years before, a submissive parliament had passed an act "that proclamations by the King in council should be obeyed as though they were made by act of parliament, under such pains as such proclamations should have appointed; providing, however, that the punishment should not extend to death or forfeiture, except in case of heresy; and that the proclamation should not have the power of repealing laws, or of abolishing the ancient usages of the realm. Offenders were to be tried in the court of Star-chamber; and if they took refuge from its mercy in a foreign land, were declared to be guilty of high treason. One of the reasons assigned for this (as Mr. Hallam has, with his usual sagacity and manliness, observed), "that the King should not be driven to extend the liberty and supremacy given him by God, by the wilfulness of forward subjects," is more shocking than the statute itself. The exception of heresy shows how widely the undefined supremacy had thrown open the door for the entrance of despotism; for no bounds seem possible to an authority which united the power of king with that

of pope, and the pretext of heresy furnished ready means of crushing any opponent.\*

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But though no language can adequately condemn the base subserviency of Henry's parliaments, it may be reasonably doubted whether his reign was, in its ultimate consequences, injurious to public liberty. The immense revolutions of his time in property, in religion, and in the inheritance of the crown, never could have been effected without the concurrence of parliament. Their acquiescence and co-operation in the spoliation of property, and the condemnation of the innocent, tempted him to carry all his purposes into execution through their means. Those who saw the attainders of queens, the alteration of an established religion, and the frequent disturbance of the regal succession, accomplished by acts of parliament, considered nothing as beyond the jurisdiction of so powerful an assembly.† If the supremacy was a tremendous power, it accustomed the people to set no bounds to the authority of those who had bestowed it on the King. The omnipotence of parliament appeared no longer a mere hyperbole. Let it not be supposed, however, that to have mentioned the good thus finally educed from such evil, is intended or calculated to palliate crimes, or to lessen our just abhorrence of criminals. Nothing, on the contrary, seems more to exalt the majesty of virtue than to point out the tendency of the moral government of the world in turning the worst enemies of all that is good into the laborious slaves of justice. Of all outward benefits, the most conducive to virtue as well as to happiness is, doubtless, popular and representative government. It is the reverse of a degradation of it to

\* Fuller very significantly said, "Henry was a king with a pope in his belly."

† The observations of Nathaniel Bacon, or rather of Selden, from

whose MS. notes Bacon is said to have written his book, deserve serious consideration. Bacon, on the Laws and Government of England, chap. 27.

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observe, that its establishment among us was perhaps partially promoted by the passions, rapacity, and cruelty of Henry. The course of affairs is always so dark, the beneficial consequences of public events so distant and uncertain, that the attempt to do evil in order to produce good is in men a most criminal usurpation.

Some direct benefits the constitution owes to this reign. The act establishing a parliamentary representation in so considerable a territory as Wales may be regarded as the principal improvement in the composition of the House of Commons since its legal maturity in the time of Edward the First. The Principality had been divided into twelve shires; of which eight were ancient, and four owed their origin to a recent statute. A short time before, the same privilege had been granted to the county palatine of Chester by an act, the preamble of which contains a memorable recognition of the principles which are the basis of the elective part of our constitution. Nearly thirty members were thus added to the House of Commons on the principle of the Chester bill, that it is disadvantageous to a province to be unrepresented; that representation is essential to good government; and that those who are bound by the laws ought to have a reasonable share of direct influence in the passing of them. As the practical disadvantages are only generally alleged, and could scarcely have been proved, they must have been inferred from the nature of a House of Commons. The British constitution was not thought to be enjoyed by a district till popular representation was bestowed on it. Election by the people was regarded, not as a cause of tumult, but as the principle most capable of composing disorder.

But it is chiefly by its relation to the infant Reformation of Religion that this reign became a period of great importance in the general history of Europe. The last twenty years of it is to be considered as a time



of transition from popery to protestantism. It must be owned that it required a vigorous, and even a harsh hand, to keep down all the fear and hatred; all the conscientious but furious zeal of Catholics and Gospellers; the whole mass of passion and interest stirred up by so prodigious a revolution in human opinion. An ecclesiastical dictatorship might have been excused in a time full of peril. At the beginning the Protestants (even if we number all the anti-papists among them) formed a small though intelligent and bold minority. They grew stronger by degrees, as opinions and parties which are the children of the age naturally do. Their strength lay in the towns on the southern and eastern coasts, and among the industrious classes of society. In the northern and midland provinces, and in the mountains of Wales, far removed from commerce with the heretics of Flanders and Germany, the ancient faith maintained its authority. At the end of Henry's reign it is still doubtful whether the majority had changed sides. That monarch had few qualifications for an umpire. But it was a public service that he restrained both factions, and kept the peace during this critical process. Had he been only severe and stern, instead of plunging into barbarous cruelty, his services might have been commended, and some allowance might have been made for the necessity of curbing uncivilised men by rough means. Had the Reforming party risen against Henry they must have been vanquished, and he would have been driven back into the arms of Rome. The iron hand which held both parties in check was advantageous to the Protestant cause, humanly speaking; only because the opinions and institutions which spring up in an age are likely to be the most progressive. His grotesque authority as Head of the Church, his double prosecution of Romanists and Lutherans, his passion for Transubstantiation, and his abhorrence of

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\* 34 & 35 Hen. 8. c. 13.

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appeals to a court of Rome, may be understood, if we regard his reign as a bridge which the nation was to pass on its road to more complete reformation. This peculiar character was given to the latter portion of this reign by the combined power of his adherence to the Catholic doctrines, and of his impatience of Papal authority; by the connection of this last disposition with the validity of his marriages and the legitimacy of his children; and by the manifold and intricate ties which at various times blended the interest of each religious persuasion with the succession to the crown; an object which the recent remembrance of the War of the Roses might render important to any prince, but which became the ruling thought of Henry's mind. The Reformers needed the acquisition of one great state for the stability and solidity of their projects. They gained England. As soon as the hand was withdrawn which had held the statesmen and the people dumb, the Reformation was established. England continues to this day to be the only power of the first class which maintains the reformed doctrines.

Eleven months before the decease of the English monarch, Luther had breathed his last in his native town of Eisleben, which he had not visited for many years. He died of an inflammation in his chest, which cut him off in twenty-four hours, in the sixty-third year of his age. His last moments were placid, and employed in prayers for the well-being of the Church, now more than ever threatened by the Roman bishop, supported by the great council of his followers convoked at Trent. It ought not to be doubted that Martin Luther was an honest, disinterested, and undaunted man, magnanimous in prosperous as well as adverse fortune, without the slightest taint of any disposition which rested on self as its final aim. On the other hand, it must be allowed that his virtues were better fitted for the storm than for quiet; that he often sacri-

ficed peace and charity to trivial differences of opinion, or perhaps unmeaning oppositions of language; and that his scurrilous writings, as a controversialist, both manifested and excited odious passions. But the object of his life had been religious truth; and in the pursuit of this single and sublime end, he had delivered reason from the yoke of human authority, and contributed to set it free from all subjection, except that which is due to Supreme Wisdom, "whose service is perfect freedom." The tales propagated against this great man prove his formidable power. He was said openly to deride all that he taught, to have composed hymns to his favourite vice of drunkenness, to disbelieve the immortality of the soul; nay, even to have been an atheist. He was represented to have been the fruit of the commerce of his mother with a demon; a fable which, in the end of the seventeenth century, writers of some reputation thought it necessary to disavow. Notes of his table-talk, published many years after his death, and then, perhaps, very inaccurately, continued to furnish the viler sort of antagonists with means of abuse, in the ardent phrases which fell from him amidst the negligence of familiar conversation.

At the moment of his death, Lutheranism had been established only in Scandinavia, and in those parts of Germany which had embraced it when it was first preached. The extent, however, of its invisible power over the minds of men was not to be measured by the magnitude of the countries where it was actually predominant. Bold inquiry, active curiosity, awakened reason, and youthful enthusiasm, throughout every country of Europe, in secret cherished a Lutheran spirit. The late king of England, as we have seen, was impelled, by a singular combination of circumstances, to prepare the way in England for embodying this spirit in a civil establishment. Calvin, who was called by some of his contemporaries the greatest divine since

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the apostles, had now spread the seeds of reformation throughout France. Had Luther survived a few years longer, he would have seen the second and more terrible struggle of the reformed doctrines in the civil wars of that country, in which the Protestant party maintained their ground for thirty years, and obtained a partial establishment for near a century. In Italy, most well-educated men, not infidels, became secret Protestants. The Inquisition did not entirely exempt the Spanish peninsula from innovation. If one hundred thousand or fifty thousand Protestants suffered for religion in the Netherlands, during the government of Charles, we can desire no better proof of the prevalence of the new faith in these rich and lettered provinces. Already monarchs, now become absolute, were beginning to apprehend that the spirit of inquiry would extend from religion to civil government, or, in their language, prove as fatal to the State as to the Church. Such, at a much earlier period, were the fears with which the insurrection of the German peasants had filled the mind of More. The intention of quelling this general revolt of Mind by a confederacy of princes, although not fully unfolded, was, we are told, one of the motives of the treaty of Francis with Charles preceding the last peace between France and England. But points like these are long discussed among statesmen, and acquire some steady place in their minds, before the perils grow large enough and come near enough to be contemplated with practical seriousness. At the death of Henry the preponderance of visible force in the scale of establishment was immense; and even the moral force of the State and the Church retained its commanding posture and its aspect of authority, at the moment when its foundation in opinion was silently crumbling beneath it. It is easy to blame this want of foresight after events have taught knowledge. But contemporary statesmen would have acted unwisely, if they had been

influenced in their deliberations on present events by probabilities of future danger so uncertain, as to be beyond the scope of the active politician. These should never forget the shortness of their foresight, and the moral duty of walking warily when they cannot see clearly. It was not wonderful that the masters of Europe should have adjourned the consideration of perils which still seemed to belong more to speculation than to practice, and of a religious revolution which, in the course of thirty years, had gained no outward dominion in the more cultivated parts of Europe, except a small number of German cities and principalities.

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## EDWARD THE SIXTH.

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IN the list of executors appointed by the will of the deceased King, we see the decisive predominance of "the new nobility," invidiously so called by their enemies, both because they were partisans of the Reformers, and because they had owed their sudden rise in wealth to a share of the spoils of the Church. Generally speaking, they were gentlemen of ancient lineage; but their fortune and rank commonly sprang from this dubious source. Few of the highest houses were free from this impeachment. The main body of the English peerage are a modern nobility raised out of an ancient gentry. As the selection had been made at the very moment of the downfall of the house of Howard, the leaders of the old nobility and the chiefs of the old faith, the preponderating influence of the earl of Hertford must be supposed to have presided over the choice of these persons. The royal will had been executed when the King lay on his death-bed, in the hands of Seymour, Catherine Parr, and Cranmer. The delay of three days in taking any formal measures upon the demise, if it could have occurred in our time, would have been censured as a daring assumption of responsibility. At that time no notice was taken of it. The young prince, who was at the royal mansion of Hatfield at the time of his father's death, was brought thence in regal state, and proclaimed king of England. His proclamation took place when he was nine years and about three months old. As the late king, in execution of the power vested in him by statute, had appointed the council called executors to exercise



the royal authority in the minority of his son, they do not seem to have gone substantially beyond their power, by nominating one of their number to preside in their deliberations, and to represent the state on fit and urgent occasions. Hertford was created duke of Somerset, and assumed, or received, the titles of "governor of his majesty, lord-protector of all his realms, lieutenant-general of all his armies." This appointment was vainly resisted by the chancellor Wriothesley, who considered it as the grave of the ancient institutions, of which he was now the most forward champion. A few months later the boy-king was crowned, and some days after the great seal was taken from the refractory chancellor, and placed in the more compliant hands of the Lord St. John. It might have been difficult to have regularly removed this officer, placed as he was among the executors. But he afforded a pretext, perhaps a reason, for his removal by a rash usurpation on his part. Preferring his political power to his judicial duties, he, without the knowledge of his colleagues, issued a commission under the great seal, to four persons, therein named, to hear and determine all causes in the court of chancery during the chancellor's absence. The judges, twice consulted, pronounced this act to be an offence punishable by imprisonment, fine, and loss of office, or, in other words, a high misdemeanour; and, perhaps, the forfeiture of office was thought a necessary consequence of imprisonment. The fear of these penalties compelled Wriothesley to resign.

The encomiums bestowed on EDWARD THE SIXTH are an example of the folly of excessive praise. What he was in reality was a diligent, docile, gentle, sprightly boy, whose proficiency in every branch of study was remarkable, and who showed a more than ordinary promise of capacity. But sycophants, and lovers of the marvellous, have almost drowned in a flood of adulation these agreeable and amiable qualities. The

CHAP. manuscripts of his still extant, either essays or letters,  
 XI. might have been corrected or dictated by his preceptors.  
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 the most interesting of them, should have been copied  
 from the production of another hand; neither does it  
 indicate the interposition of a corrector. It is, perhaps,  
 somewhat brief and dry for so young an author; but  
 the adoption of such a plan, and the accuracy with  
 which it is written, bear marks of a pure taste and of  
 a considerate mind.

At an early period the Council, no longer restrained  
 by the presence of Wriothesley, proceeded to enlarge  
 the Protector's authority in a manner which was at  
 variance with the foundation of their own power. They  
 addressed the King to name the new duke of Somerset  
 Protector to the King and the kingdom; and the royal  
 boy, like Henry the Sixth in his earliest infancy, was  
 made to go through the ceremony of ordering the great  
 seal "to be affixed to letters patent, granting the title  
 of protector to that nobleman, with full authority to  
 every thing that he thought for the honour and good of  
 the kingdom; to swear such other commissioners as he  
 should think fit; and to annul and change what they  
 thought fitting; provided that the council was to act by  
 the advice and consent of the protector."

The populace now began to destroy the images in  
 churches, which Luther had tolerated as aids to devo-  
 tion, and of which Cranmer vindicated the moderate use.  
 The likelihood of gross and extensive abuse is, indeed,  
 the only solid objection to image-worship. The govern-  
 ment, almost entirely Protestant, proceeded to the grand  
 object of completing the religious revolution, and of  
 establishing a church not only independent of the See  
 of Rome, but dissenting from many doctrines which had  
 been for ages held sacred by the Western Church. The  
 Protector began his task through the ancient prerogative  
 of the crown, through the supremacy over the Church,

and by means of the statute which gave to proclamations the authority of laws. Persecutions under the Act of the Six Articles ceased; prisoners were released, exiles were recalled. The obedience of the clergy was enforced by the adoption of the principle, that the appointment of bishops, like all other appointments, had determined by the demise of the crown; thus compelling all prelates to receive their bishoprics by letters patent from the King, during good behaviour. Preaching, which had been so rare in Catholic times, that it would have been impossible to impose it on an untrained clergy, was in some measure supplied by homilies, composed by Cranmer, which the parish priests were directed to read to their congregations. Visitors were despatched throughout the kingdom, with instructions to require that four sermons in the year should be preached in every church against the Papal authority; that sermons should be directed against the worship of images; that all images abused by being the object of pilgrimages and offerings should be destroyed; that the English Bible, with Erasmus's commentary on the gospels, should be placed in every church for the use of the people; together with many other points selected, not always so much on account of their intrinsic importance, as because they were brought by public worship in daily contact with the minds of the people; and because, taken altogether, they carried into every hamlet the assurance that the government was no longer to be neutral. Gardiner, a man of great learning and ability, but one of Henry's devoted agents, and who did not scruple to hold his diocese of Winchester during the whole schismatic establishment, now made a manly and becoming resistance to these injunctions, on principles of civil liberty, as much as of ecclesiastical discipline. He was imprisoned for his disobedience. Bonner, bishop of London, more violent and more subservient, escaped imprisonment by an humble submission. Tunstall,

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bishop of Durham, a prelate of various and eminent merit, was excluded from the privy council, to impress on the people, by the strongest example, the disinclination of the Protector towards the ancient faith.

After these preparatory measures, parliament was assembled, and several bills passed to promote and enlarge the Reformation. The communion was appointed to be received in both kinds by the laity as well as clergy, without condemning the usages of other churches, in a statute\*, drawn with address, which professes to have been passed for the purpose of preventing irreverence towards the sacrament, and which covers the concessions to the people by many provisions for the former object. Bishops were to be nominated by the King; process in the ecclesiastical courts was to run in the King's name.† By another act the statutes against Lollards were repealed, together with all the acts in matters of religion passed under Henry, except those directed against the Papal supremacy.‡ All the treasons created by Henry underwent the same fate, and that offence was restored to the simplicity of the statute of Edward. The act which gave legislative power to proclamations was also abrogated by the last-mentioned statute, which at the same time guards the order of succession as established in the last act of settlement.§ Though Bonner was daily present during the session, there were only two divisions; one in which he, with four of his brethren, voted against the allowance of the cup to laymen, there being twenty-two prelates in the majority; another|| in which Cranmer, in a minority with Bonner, voted against a measure for vesting the lands of chantries in the crown.

In the next session the uniformity of public worship was established, in which all ministers were enjoined to

\* 1 Edw. 6. c. 1.

† 1 Edw. 6. c. 12.

‡ 1 Edw. 6. c. 2.

§ 35 Hen. 8.

|| 1 Edw. 6. c. 14.

use only the "Book of Common Prayer," prepared by the primate and his brethren\*, the foundation of that which, after various alterations in the reigns of Elizabeth, James, and Charles the Second, continues in use to this day. A singular law also was passed to enforce the observance of fast-days and of Lent, by the infliction of a fine of ten shillings and ten days' imprisonment upon fast-breakers, "Albeit," says the statute, "one day is not more holy than another †, yet it is proper, to prevent this knowledge from turning into sensuality, to subdue men's bodies to their souls, and especially that fishers may the rather be set at work." This strange enactment was immediately followed by the emancipation of the English clergy from compulsory celibacy ‡, which is prefaced by an admission, that "it would be much better for priests to live separate from the bond of marriage for their own estimation, and that they might attend solely to the ministration of the Gospel."

Although there were no Protestant nonconformists at this period, yet the last act of uniformity passed in this reign may be considered as the earliest instance of penal legislation pointed against mere dissenters.§ It commanded all persons to attend public worship under pain of ecclesiastical censure, and of six months' imprisonment for the first offence, twelve for the second, and for the third confinement for life. Notwithstanding the merciful repeal of the late treason-laws, which lent a benignant aspect to the opening of the new reign, it was deemed necessary before its close to pass a riot act of great severity against tumultuous assemblies, and to punish those who should call the King heretic, schismatic, tyrant, infidel, or usurper, for the first offence with forfeiture and imprisonment during pleasure, and for the third with the pains of high treason.

The war with Scotland, begun with little justice, and

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\* 2 Edw. 6. c. 1.

† 2 & 3 Edw. 6. c. 19.

‡ 2 & 3 Edw. 6. c. 21.

§ 5 & 6 Edw. 6. c. 1.

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conducted with no humanity, is better related by the historians of Scotland than it could be in a summary of English history. The confusions and revolts of this and of the last reign in Ireland, where the Reformation had made no progress, and had no other effect than that of widening the ancient breach between the two races, will also soon employ the brilliant pen of a patriotic historian.\* The government of England, intent on their grand object of completing the Reformation at home, withdrew themselves from that officious intrusion into continental policy to which the restless spirit of Henry from time to time prompted him. During Edward's reign, England can scarcely be said to have been a member of the European confederacy.

The Protestant portion of Europe did not, like the Catholic world, compose one religious community. Strictly speaking, it was divided into as many churches as it contained states. Lutheranism prevailed in Germany, and was exercising sole dominion in the northern kingdoms. Calvinism, proceeding from a Frenchman, found repose and safety in Switzerland, whence it agitated France, and made considerable acquisitions in Germany. Both unanimously received the Scriptures as the only infallible authority. They agreed in reverence for the decrees of the first four general councils, if not as a standard of orthodoxy, yet as a guide of high authority in the interpretation of the New Testament. Neither could explicitly deny the weight of general tradition, and of ancient usage. By the constant discussion of the opinions and practice of former ages, they allowed their value as evidence worthy of consideration, though varying according to their distance from the sacred source. They unanimously rejected the infallibility of the See of Rome, which some zealots were beginning to represent as antichrist, while a few individuals among the more learned and mode-

\* See advertisement.



rate were privately less unwilling than they could venture to avow, to submit to a limited supremacy in that ancient patriarchate as a preservative of ecclesiastical order and peace.

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Each of the Reformed churches left undetermined the momentous question which their separation from Rome had brought into discussion, respecting the competent judge in cases of a disputed interpretation of Holy Writ. Wherever the church was reformed by the government, as in all Lutheran and in most Calvinistic countries, as well as in England, the received opinion was that this authority belonged to the civil lawgivers of each country; a doctrine which, if understood of the belief, the feelings, and the worship of religion, entirely overthrows its nature, but, if limited to its legal endowments and privileges, is no more than an identical proposition. All these churches agreed in the grosser departure from their own principles, which led them to punish even with death a dissent from the creeds which they, by their dissent from human authority, had built on the ruins of a system adopted by all nations for many ages. They acted as if they were infallible, though they waged war against that proud word. In order to escape the visible necessity of granting that liberty of private judgment to all mankind, which could alone justify their own assaults on Popes and Councils, they in effect vested a despotic power over the utterance of religious doctrines in lay sovereigns, who had not even the recommendation of understanding the subject in dispute.

The Lutherans adopted a poor and limited episcopacy: the Calvinists established perfect equality among the ministers of religion, holding that the term which we render "bishop" meant no more than that which we distinguish in our versions as "presbyter." The Church of England, by preserving the revenues of most of the bishoprics, and by releasing the prelates from their sub-

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jection to the court of Rome, exalted in many respects the dignity, and strengthened the influence, of the episcopal order. The doctrines of absolute decrees and irresistible grace, abandoned, if not by Luther, at least by the Lutherans, but to this day rigorously maintained by all who call themselves Calvinists, were in some measure adopted by the English Church; but in terms studiously inoffensive, and accompanied by warnings, which, instead of being blamed as at variance with the dogma to which they are subjoined, ought rather to be commended for the solicitude which they breathe to guard the affections of the heart and the rule of human life against the dangerous influence of abstruse and dark speculations. On the disputes respecting the Sacrament of the Lord's Supper, then the most popular, and accounted the most important of all, the Anglican Church approached more to the opinion, or (perhaps we ought to call it) the phraseology, of Calvin, than to that of any other leader of the Reformation.

Among civil occurrences one took place in the second session of parliament during this reign, which too evidently shows how thoroughly Somerset had been trained in the lawless and unnatural practices of the last king. Sir Thomas Seymour, now Lord Sudeley and admiral of England, was a brave soldier, a stately and magnificent courtier, more acceptable to the nobility than to the people; open, passionate, ambitious, with none of that reputation which belonged to his brother the Protector, as the founder of the English Reformation. He had paid court to Catherine Parr while she was Lady Latimer, and would have been successful if he had not been supplanted by Henry. Scarcely had that monarch breathed his last, when Seymour secretly espoused Catherine, said to have been induced to take this measure by a letter from Edward, which if real could only have been a promise of pardon. By this marriage he acquired some part of the great fortune which the fondness of

Henry had suffered her to accumulate. The jealousy of power appears to have early existed between the two brothers; and the strife was embittered by a rivalry in rank which sprang up between their wives. Catherine retained her regal station as queen-dowager; while Anne Stanhope, the wife of Somerset, who is charged with intolerable pride and violence, could not brook the superiority allowed to her modest rival, but, as the spouse of the first person in the realm, claimed the rank of the first female. The death of Catherine followed her marriage so soon as to occasion rumours that it had not been left to nature. Lord Sudeley was then suspected of seeking the hand of the Princess Elizabeth, though only in the fourteenth year of her age. Seymour seems pretty certainly to have taken measures for forming a party against his brother, to have excited the nobility against him, and to have meditated the withdrawal of the young King from the Protector's custody. These projects were very likely to end in treason; but there is no appearance that they reached the mature state necessary to constitute that offence. He appears to have treated the whole matter with levity. Things however soon assumed a serious aspect. A bill was passed to attain the lord high admiral of treason. The presence of his brother at the head of the lords is a circumstance which resembles, and, indeed, surpasses, the conduct of the judges of Anne Boleyn. Seymour was at the time a prisoner in the Tower: no man proposed to send for him: he was not heard in his own defence: no witnesses were examined. The lords could only rest their bill upon the assurance of Somerset, and other members of the Council, that Lord Sudeley was guilty. He had demanded in vain that he should be openly tried and confronted with his accusers. The Commons paused at this demand: but their hesitation to condemn an unheard man in his absence was easily overruled. The Master of the Rolls brought down a



CHAP. message from the throne, assuring the House that "it  
 XI. was not necessary for the admiral to appear before  
 1548. them; but, if they thought it essential, some lords  
 should come to them to confirm their evidence." Even  
 this was deemed superfluous. The impression of the  
 message was such that the bill was passed without fur-  
 ther delay. Three days after the warrant for Seymour's  
 execution was issued, with his brother's name heading  
 the subscribers. He was beheaded on Tower Hill,  
 solemnly repeating his disavowal of treasonable pur-  
 poses against the King or kingdom.

Though the new liturgy was as moderate and com-  
 prehensive as was consistent with the sincerity of the  
 Protestant clergy who had framed it, yet it is impos-  
 sible for men of one communion to weigh the scruples  
 of those of a different persuasion. No man's conscience  
 can act for that of another. Still less is it conceivable  
 that one party should impartially allow for all the pre-  
 judices and antipathies of their old opponents. A  
 change in the forms of public worship was sufficient of  
 itself to offend the simple peasants of remote provinces,  
 especially when religious solemnities were their chief  
 occasions of intercourse, and the only festivals which  
 diversified their lives. The substitution of a simple and  
 grave worship for a ceremonial full of magnificence,  
 could be grateful only to the eyes of hearty piety.  
 "The country people loved those shows, processions,  
 and assemblies, as things of diversion,"\* against which  
 the zeal of the Reformers was peculiarly pointed. The  
 most conspicuous, if not the most efficient, cause of the  
 commotions which followed, was the religious feelings  
 to which we have adverted more than once.

It cannot be doubted, however, that other agents  
 contributed to these and to most other disorders and  
 revolts of the sixteenth century. The inclosure and  
 appropriation of common fields, from the produce of

\* Burnet sub anno.

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which the poorer classes had derived part of their subsistence, was now hastened by the profits to be derived from wool, the raw material of the growing manufactures of the realm. A new impulse was, perhaps, too suddenly given to this economical revolution by the grantees of abbey lands, who were in general rich and intelligent. The people (the learned as well as the illiterate) were profoundly ignorant of the truth, that increase of produce must be finally beneficial to all classes. They were equally unacquainted with the effects of that influx of the precious metals from America, which had enhanced in general the money price of commodities before it had caused a proportional rise in the wages of labour. The depreciation of money in England, by the wretched debasements of the coin to which Henry had so often recurred, had powerfully, though secretly, disturbed every interest in the community. The wages of labourers were paid in debased coin, although it required a greater quantity of gold and silver in their unalloyed state to purchase the necessaries of life. All these, and many like agencies, were now at work, the nature of which, however, was as unknown to the people of that age as the laws which regulate the planetary system.

The Protector, who courted the people, and to whom their discontent was at least painful, endeavoured to appease the prevalent dissatisfaction by issuing a proclamation against inclosures, which enjoined the landholders to break up their parks. In general they disregarded this illegal injunction. The peasantry accepted it as their warrant for the demolition of inclosures. Risings occurred in Wiltshire, Oxfordshire, and Gloucestershire, which were speedily, but not without bloodshed, quelled. Disorders in Hampshire, Sussex, and Kent were more easily composed. But the rapid diffusion of these alarming revolts indicated the prevalence of a dangerous disaffection. Fears

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were entertained of a general insurrection of the commonalty. In so feverish and irritable a temper of the nation, there were not wanting causes which brought the religious passions into contact with the distress of the people, and melted them together into one general mass of discontent. The rapacity of the new owners of abbey lands was contrasted with the indulgence of the monks, often the most lenient of landlords, because they lived with the people, and because a clergy without families had few calls upon their purse.

In June of this year, a formidable insurrection broke out in Cornwall, under a gentleman of ancient and noble lineage, Humphrey Arundel, governor of St. Michael's Mount. The insurgents amounted to ten thousand men. They were animated by tales of the prospect of the succession of the Princess Mary. Their displeasure was first directed against inclosures; but a zealous clergyman found no difficulty in blending the Catholic cause with the injustice of the intrusive landholders. They demanded the restoration of the mass, of abbey lands, and of the law of the Six Articles, together with the recall of Cardinal Pole from exile. Lord Russell, who commanded the royal troops, found means to retard the advance of the rebels by negotiation, until he was reinforced, not only by an English levy, but by bodies of mercenary veterans from Germany and Italy. Exeter held out against the insurgents. Russell raised the siege, pursuing the revoltors to Launceston, where they were utterly routed. Severe military execution was inflicted. Arundel and the mayor of Bodmin, with some other leaders, were tried and executed in London. A Roman Catholic priest at Exeter was hanged from his own tower, in his sacerdotal vestments, and with the beads which he used in prayer hung from his girdle.

The flame thus extinguished in the West broke out with new violence in Norfolk. In that county the general disaffection assumed the form of a war against



the gentry, who were loaded with charges of oppressing farmers and labourers. One Ket, a tanner, but also a considerable landholder, encamped on Mousewold Hill, near Norwich, with an army of twenty thousand men. He repulsed the marquis of Northampton in an assault on the city, in which Lord Sheffield was killed. The Protector was obliged to recall troops from Scotland, serving under Dudley, earl of Warwick, who would not have been entrusted with such an occasion of gaining reputation and followers, if Ket had not rendered extreme measures necessary. Warwick, on his arrival, forced his way into Norwich, and kept his ground there, till Ket, compelled by famine, abandoned his encampment, and with it the command of the city. Soon after he was defeated by Warwick. Two thousand insurgents perished in the action and pursuit. The remainder, hastily throwing up rude defences of waggons and stakes, refused a pardon, which they naturally distrusted. Warwick, however, at last persuaded them to surrender. He kept his word more faithfully than was usually the practice on such occasions. Ket was hanged in Norwich Castle, his brother on Wymondham steeple, and nine others on "the branches of the oak of reformation," under which Ket was wont to sit on Mousewold Hill, with a sort of imitation of royalty, to administer justice. He had assumed the title of king of Norfolk and Suffolk. This year also the first commissions were issued for lord lieutenants of counties; a species of civil governors and military commanders of whom the late confusions occasioned the appointment.

During this season of confusion the advocates of rigour loudly cried against the feebleness of Somerset, who dreaded unpopularity too much to be capable of executing justice. To this infirmity they imputed the repetition and prolongation of the late disturbances, which might have been quickly extinguished if the peasantry had not been tempted into them by an almost

CHAP. total impunity of the early rebels. He professed to  
XI. think "it not safe to hold such a strict hand over the  
1549. commons, and to press them down and keep them in slavery." But if he pursued the favour of the people rather than their well-being, he soon found, when the hour of peril came, that their favour stood him in little stead. The Catholic priesthood, who detested him, still retained a mighty influence especially over the distant provinces. He retained popularity enough to render him odious to the old nobility. The employment of foreign troops in quelling the insurrection had been unacceptable. His last usurpation of the protectorship dwelt in the minds of many besides his competitors. He had begun the erection of Somerset House, his palace in the Strand, on a scale of invidious magnificence. Architects had been brought from Italy to construct it, and professors of the fine arts to adorn it. It was said to have been raised out of bishops' houses and churches, of which the surrender had been extorted from the owners by dread of his displeasure. The demolition of the parish church of St. Mary, to leave a wider space for the foundation of this ostentatious structure, was considered as an offensive symptom of disregard to religion and to the people. His extortions were not deemed the less flagrant for being formally sanctioned by a minor king, who was in his own hands. Like many other candidates for the applause of the multitude, he was arrogant and negligent towards his equals. To every cry, to every insinuation against him, was added the formidable question, "What friendship could be expected from a man who had no pity on his own brother?"

A question, whether peace ought to be made with France and Scotland, produced considerable differences of opinion in the Council. The Protector and his friends contended that the object of the Scottish war, which was the marriage of Edward to the Scottish

queen, no longer existed, that young princess having arrived in France; and that Boulogne, which the treaty required to be soon restored, should be immediately surrendered on payment of an adequate sum; peace between France and England being likely to end in a coalition to save the German Protestants from ruin. Somerset disappointed his opponents by giving up his own better opinion for the sake of unanimity; but the dispute had served its most important purpose, by keeping out of view the motives and projects which aimed at the overthrow of the proud Protector. Lord Southampton, the son of the late catholic chancellor Wriothesley, had inherited his father's resentment against the protestant Somerset. Dudley, earl of Warwick, was the soul of the confederacy against him. The latter was supposed to have really earned in the Scottish war the laurels which were borne away by his superior officer; and his success in quelling the insurrection contributed to strengthen the opinion of his military desert.

While the Protector in his private correspondence was speaking with complacency of his success in quelling these movements, the plot for his own overthrow was ripe for execution. The discontented lords, gradually withdrawing from court, resorted with bodies of armed retainers to London. Sir William Paulet, the treasurer, by his policy (which probably consisted in the seasonable use of money) obtained for them the peaceable possession of the Tower. As soon as the Protector learnt this intelligence, he carried the King with him from Hampton Court to Windsor, where he began to strengthen the castle, writing circular letters to his friends, requiring them to repair thither with all their force. The answer of Lord Russell, the Privy Seal, was, that he should be ready to guard the King, to defend the kingdom against foreign invasions, and to stay bloodshed between the factions; but that he

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could take no part in the personal quarrels of the Protector with the counsellors. Both parties collected their armed adherents. Sir William Petre, Secretary of State, was sent from Windsor to London to ascertain the demands of the seceding lords, and to desire assistance from the city of London; but the attempts were fruitless. Petre remained with the lords, who were now joined by nearly all the surviving executors. The palace at Windsor was, as usual, left a solitude by the inconstant courtiers. Sir Philip Hobby, who had been despatched to Windsor with the answer of the lords, urged their request so effectually, that in a few weeks the vast powers of Somerset were taken from him, and the next day he was brought under an escort to the Tower. Articles were prepared against him; which, from their extreme vagueness, cannot be considered as a judicial charge, but must be regarded either as a popular manifesto, or at best as the materials of an address for his removal from power. The great office of lord high admiral was conferred on his formidable and mortal enemy, the earl of Warwick. After many examinations, he was enlarged, on payment of a fine amounting to a yearly sum of two thousand pounds, charged upon his estates, and his whole personal goods, besides the forfeiture of all his offices. These transactions were afterwards confirmed by act of parliament. So far the circumstances attending this great nobleman's fall from power do not exceed the usual accompaniments of a violent change of administration in the sixteenth century.

Warwick, who was by no very slow degrees attracting to himself all the powers of government, hastened to assure the nation that the Protestant interest would suffer nothing by the Protector's removal. The earl of Southampton, the stay of the Catholics, was obliged to leave the court; and the bishops were apprised by circular letters of the King's determination to carry on the

Reformation. These measures were, however, rather the result of Warwick's position than of his inclination. He declared at his death that he himself had always been a Catholic; and the most zealous Protestants bewailed the fall of Somerset as dangerous to their cause. Now the undisputed chief of the government, he allowed Somerset to resume his seat in council; and Lord Lisle, his eldest son, was married soon after to the other's daughter. But under a fair surface of friendship the sores of fear and anger still rankled. Somerset could not persuade himself that he could be safe without power. Warwick apprehended continual schemes on the part of his rival to recover the protectorship. Somerset assembled armed retainers in circumstances where it was very difficult to separate defence from offence. Soon, therefore, his wife and himself, with many of their friends, were committed to the Tower. The duke was brought to trial before the high steward and lords triers for high treason, in conspiring to seize the King, and for felony under the Riot Act of the preceding session, in assembling to imprison Warwick, a privy counsellor, who had since been raised to the dignity of duke of Northumberland. The lords unanimously acquitted him of the treason. They convicted him, however, of the felony; a verdict of which the strict legality may be questioned; for though the tenth section of the statute makes it felony to stir up rebellious assemblies, yet that enactment is qualified by restricting it to cases where there is "an intention to do any of the things above mentioned." Now, this refers to the treasons created by this act, of all which the duke was acquitted; and it is an essential condition of the felony that the unlawful assemblies should have continued their meetings after they had been legally commanded to disperse. In this case no such command or disobedience was pretended. The objection, however, is technical. It is probably true that Somer-

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set meditated a revolution as violent as that by which he had been deposed. His principal anxiety was to vindicate himself from the charge of plotting the death of Northumberland and his colleagues. After his condemnation, the axe not being carried naked before him as he left Westminster Hall, the people, who hailed this circumstance as a proof of his acquittal, expressed their joy by loud acclamations. "On the 22nd of January," says the diary of his royal nephew, "he had his head cut off upon Tower Hill, between eight and nine o'clock in the morning." We learn from those on whom the Protector had fewer claims, that the particulars of the death thus shortly and coolly mentioned were not uninteresting. A false alarm had thrown the spectators into confusion; some of them fell into ditches, or were otherwise hurt. Amidst their apprehensions, they, observing Sir Antony Brown riding up to the scaffold, conjectured, what was not the fact, but which they all wished to be so, that the King had sent a pardon for his uncle; and, with great rejoicing and casting up their caps, they cried out, "Pardon, pardon is come; God save the King!" The duke showed some emotion; but his deportment in death, and his address to the bystanders, of whom many were deeply affected, were signalised by firmness and dignity.

The parliament, which met on the day after the execution of the late Protector, betrayed some sense of the unjust mode of proceeding against him, by reforming one of the most grievous abuses in the criminal law. A bill was passed to make it high treason to call the King or his successors under Henry's act of settlement usurpers, heretics, or schismatics, into which a clause was introduced of greater moment than the bill itself, providing that no person should be convicted of these or other treasons, unless he was accused by two lawful witnesses, who, if alive, should be confronted with him



on his trial. In spite of this provision, however, the barbarous iniquity of former times continued to be practised long after it was thus forbidden by law.

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The policy adopted in the reign of Edward respecting dissent from the Established Church deserves some consideration. The toleration of heresy was deemed by men of all persuasions to be as unreasonable as it would now be thought to propose the impunity of murder. The open exercise of any worship except that established by law was considered as a mutinous disregard of authority, in which perseverance was accounted culpable contumacy. In considering the harsh proceedings against those prelates who refused to give the required security of their attachment to the Protestant Church, it must be allowed that the Legislature, which had the power to change the civil establishment of religion, is justified in employing moderate means of securing the Church, of which the exclusion of Roman Catholics from the dignities of the Protestant Church cannot be denied to be in itself unexceptionable. A competent and liberal allowance, however, towards those who lose their station without any fault of their own, by a mere change of belief in their rulers, is even in this case an indispensable part of equitable policy. The simple deprivation, especially if attended with fair compensation, of Bonner and Gardiner, does not appear to be blamable. Gardiner, a man of extraordinary abilities, learning, and resolution, had been a pliant tool in Henry's negotiations for divorce. Many were the attempts made to compel him to conform to the new system. Imprisonment, with unwarrantable aggravations, was chiefly trusted for subduing his haughty spirit. But he defended himself with courage and address. It was easy to gain a personal advantage over some of his opponents, by quoting, in justification of his own opinions, their language in the time of the late king on the subject of the communion. The Creed of the more Reformed

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Church on the Real Presence was couched in cloudy language, which the bishop could represent as favourable to his opinion. Some of the most zealous Protestants had already controverted the Roman Catholic system with a warmth which gave him specious pretexts for assailing them as Zuinglians and Sacramentarians; heretics whom the body of orthodox Protestants, whether Lutherans, Calvinists, or Anglicans, held in especial abhorrence. Notwithstanding what his enemies called contumacy, they still shrank from a conflict with a man of so much courage and resource. It was thought fit to make the first experiment on a meaner subject, Bonner, bishop of London, a canonist of note, believed to be of a fierce temper and prone to cruelty; a belief well justified by his subsequent deeds. A commission issued for the examination of the complaints against this prelate. He deported himself insolently; manifesting that he was one of those inferior spirits who need coarseness to whet the edge of their courage. He complained that he was not deprived by a tribunal proceeding according to the canon law. It was answered with great force, as far as related to Bonner, that he had waived such objections when he consented to receive his bishopric from the King by letters patent. Sentence of deprivation was pronounced against him, and, on the bad ground of his indecorum at the trial, he was sent to the Marshalsea, where he continued a prisoner till the King's death. Gardiner was next brought to trial. He made so many concessions, that in what remained he seems to have rather consulted pride than conscience; unless we may suspect that he was influenced by a desire not to take a decisive part until he could better foresee the issue of very uncertain revolutions. He too suffered a rigorous imprisonment; an aggravation which cannot be too much condemned in a case which was extenuated by the partial influence or even the specious colour of conscience.

The treatment of the Princess Mary was still more odious, if considered as the conduct of a brother towards a sister, or if tried by the standard of religious liberty in modern times. But the first would be a false point of view, and the second too severe a test. Somerset and Northumberland, who were the successive masters of the King and kingdom, saw the immense advantage that would accrue to the Protestant cause from the conversion of the presumptive heir to the throne. The feeble infancy of Edward was its only protection against a princess already suspected of bigotry, and who had grievous wrongs to revenge. Her conversion was therefore a high object of policy. Justice requires this circumstance to be borne in mind in a case where every generous feeling rises up in arms against the mere politician, prompting us warmly to applaud the steady resistance of the wronged princess.

There is no known instance in family history, in which a brother and two sisters appear to have been doomed to be each other's enemies by a destiny inseparable from their birth, so extraordinary as that of Edward and the two princesses Mary and Elizabeth. The legitimacy of Mary necessarily rendered Elizabeth illegitimate. The innocence of Anne Boleyn threw a slur over the nuptials of which Edward was the sole offspring. One statute had declared Mary to be illegitimate, for the sake of settling the crown on Elizabeth. The latter princess was condemned to the same brand, to open the door for the nuptials with Edward's mother. Both were afterwards illegitimatised, as it might seem, to exalt the lawful superiority of their brother Edward. At the accession of the latter, Mary was in the thirty-second year of her age, Elizabeth in her fourteenth, and Edward in his ninth. Mary was of an age to remember with bitterness the wrongs done to her innocent mother. Her few, though faithful, followers were adherents of the ancient religion; to which honour and

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affection, as well as their instruction and example, bound her. On the other hand, the friends, teachers, and companions of the King were, in many instances, bound to the Reformation by conscience. Many others had built their character and their greatness upon its establishment. The pretensions of young Elizabeth were somewhat more remote; but the daughter of Anne Boleyn was still dear to those zealous Protestants who considered her (whether inviolably faithful to Henry or not) as having died for her favour to the Protestant cause. The guardians of the young King deserve commendation for the decorum which they caused him to observe towards both his sisters, though he did not conceal his affection for Elizabeth, whom he used fondly to call *sweet sister Temperance*. His mild temper and gentle nature made the task of his guardians an easy one. Neither of the sisters were likely to give equal help to those who laboured to keep peace between them.

When the parliament had directed the discontinuance of the Mass, commanding the liturgy to be used in its stead, the Emperor's ambassador had interposed to procure exemption by letters patent for the Lady Mary from this rigorous prohibition. She probably experienced some connivance, though a formal licence was refused. But, in the autumn following, intelligence was received of designs formed by the English exiles to carry her to the Netherlands; in consequence of which, she was desired to repair to her brother's court. She declined coming nearer to London than Hunsdon; reasonably enough disliking the close observation and malicious scrutiny of her enemies. Dr. Mallet, her principal chaplain, was committed to the Tower for solemnising mass at her residence, but when she was absent, and before some who were not members of her household. The mention of these circumstances seems to show that in practice, though not by law, a connivance with her family worship had arisen, from an

understanding with the Imperial ministers. The most ungracious act of the government was to employ the tongue and pen of her brother in attacks on her religious opinions. On one occasion, she had an interview with the Council, in presence of Edward. She was told that "the King had long suffered her mass, in hope of her reconciliation; and there being now no hope, which he perceived by her letters, except he saw some speedy amendment he could not bear it." She answered well, that "her soul was God's; and her faith she would not change nor dissemble." She was answered somewhat evasively, "The King does not constrain your faith; but willed you, not as a king to rule, but as a subject to obey." The Emperor's minister hinted at war, if his master's cousin was thus treated with discourtesy. Cranmer and his friends allowed "that it was a sin to license sin; but they thought that to wink at it for a time might be borne, if haste were used to get rid of it."\* Edward thought their casuistry lax, and on their principles he was right. Soon after, twenty-four privy counsellors, who had assembled at Richmond to consider the case, determined that it was not meet to suffer the practices of the Lady Mary any longer. It should seem, however, from the instructions to Wotton, the minister at the Imperial court, that there was a disposition in the administration to spare Mary, though they could not avowedly dispense with the laws. In this temper they probably continued; but with a fluctuation between the politicians who dreaded a rupture with the Emperor, and the Protestant zealots, who still more dreaded a toleration of the Roman Catholic worship; a state of things very mortifying and precarious, which exposed the princess to be frequently vexed and harassed.

But, on the whole, the reign of Edward was the most pure from religious persecution of any administration of

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\* Edward's Journal in loco.

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the same length, in any great country of Europe, since Christendom had been divided between Catholics and Protestants. "Edward," says a Catholic writer, "did not shed blood on that account. No sanguinary\*, but only penal, laws were executed on those who stood off." As long as both parties considered it their duty to convert or exterminate their antagonists, a peace between them was impossible. Whatever glimpses of insecure truce occurred were due to the humanity or policy of individual sovereigns, or their ministers. In the present case the suspension of arms may be attributed to the humane temper of Cranmer in a great measure. It is praise enough for young Edward, that his gentleness, as well as his docility, disposed him not to shed blood. The fact, however, that the blood of no Roman Catholic was spilt on account of religion, in Edward's reign, is indisputable. The Protestant Church of England did not strike the first blow. If this proceeded from the virtue of his counsellors, we must allow it to outweigh their faults. If it followed from their fortune, they ought to have been envied by their antagonists. This commendation, however, must be limited to the war between the two bodies which shared Europe. Small and obscure communities, holding opinions equally obnoxious to the great communions, were excluded from the truce. A distinction was devised between the essential and unessential parts of Christianity; by means of which all the supposed errors comprehended under the first denomination might be treated with the severity of the ancient laws against heresy. No statute or canon had established this distinction, yet it slowly grew out of opinion and usage. It was then a great advance towards religious liberty; for it withdrew the greater number of Christians from the sword of religious oppression. At a much later period, persecutors, when driven from their strongholds, sometimes fell back upon

\* Dodd, Church History, vol. i. p. 360.



it as a tenable station, where, if they could not maintain themselves permanently, their retreat would at least be covered. In this reign, the doctrine that only the denial of the essentials of Christianity could lawfully be punished with death, was a station in the retreat from more wide-wasting evil. A century later it became a position, from which the advance towards good might be impeded and retarded.

The most remarkable instances of these deviations from humanity were those of fugitives from the Netherlands, who held many unpopular and odious opinions. Before the time of Luther there had been small sects in the Low Countries, who had combined a denial of the divinity of Christ, with a disbelief in the validity of infant baptism, and joined the rejection of oaths with the tenet of non-resistance adopted afterwards by the Quakers; proceeding, however, farther than that respectable persuasion, by denying the lawfulness of magistracy, obedience to human laws, and the institution of property. Their early history is buried in obscurity. The Reformation gave them a shock which roused them from lethargy. They were involved in the same sufferings with the Lutherans and Calvinists. Many of them took refuge in England, where a small number of the natives imbibed some portion of their doctrines. Some years before, commissions were issued to Cranmer "to inquire into heretical pravity," being nearly the same words by which the power of the Court of Inquisition is described. Champneys, a priest at Stratford-on-the-Bow, being brought before the commissioners on some of the lighter of these charges, confessed and recanted them. Ashton, a priest, who maintained that "Christ was not God, but brought men to the knowledge of God," escaped in the same manner. Thumb, a butcher, and Putton, a tanner, went through the like process. These feeble heresies seem indeed to have prevailed almost solely among the inferior class. Joan Becher,

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commonly called "Joan of Kent," a zealous Protestant, who had privately imported Lutheran books for the ladies of the court in Henry's reign, had now adopted a doctrine, or a set of words, which brought her to be tried before the commissioners. As her assertions are utterly unintelligible, the only mode of fully displaying the unspeakable injustice of her sentence is to quote the very words in which she vainly struggled to convey a meaning: "she denied that Christ was truly incarnate of the Virgin, whose flesh being sinful he could take none of it, but the word, by the consent of the inward man in the Virgin, took flesh of her." Her execution was delayed for a year by the compassionate scruples of Edward, who refused to sign it. It must be owned with regret, that his conscientious hesitation was borne down by the authority and importunity of Cranmer, though the reasons of that prelate rather silenced than satisfied the boy, who, as he set his hand to the warrant, said, with tears in his eyes, to the archbishop, "If I do wrong, since it was in submission to your authority, you must answer for it to God." Von Panis, also an eminent surgeon in London, of Dutch extraction, having refused to purchase life by recanting his heresy, which consisted in denying the divine nature of Christ, was condemned to the flames.

Opinions subversive of human society having been avowed by a sect in Lower Germany, called "Anabaptists," a strong prejudice against that sect, whose distinguishing tenet, however, is perfectly consistent with social order, had a part in these lamentable executions. The founders of the Anglican Church were solicitous to clear their establishment from the odium of suffering such attacks to be made on the fundamental doctrines of Christianity; and they considered all who were desirous to carry change farther as impediments to the completion, and enemies to the safety, of the Reformation.

Of the forty-two Articles promulgated in this reign,

the principal propositions omitted under Elizabeth were, condemnation of those who asserted that the resurrection was already past, or that souls sleep from death to the last judgment, as well as of those who maintain the final salvation of all men, or the reign of the Messiah for a thousand years; which last opinion the forty-first Article styles "The fable of the millenaries, a Jewish dotage." The doctrine of the presence of Christ in the Communion was expressed in terms more unfavourable to the Church of Rome than those chosen by Elizabeth's divines.

In consequence of the changes introduced by the Reformation, it became necessary to reform the ecclesiastical laws. The Canon law, consisting of constitutions of Popes, decrees of Councils, and records of usages (many of which have been long universally acknowledged to have been frauds), was the received code of the courts termed Spiritual, in every country of Europe. The appeals allowed by every country to Rome had preserved a consistency of decision and unity of legislation. But the whole system of Canon law was so interwoven with Papal authority, and so favourable to the most extravagant pretensions of the Roman see, as to have become incapable of execution in a Protestant country. An act\* had been accordingly passed, providing that "the king should have full power to nominate sixteen ecclesiastics, of whom four were to be bishops, and sixteen laymen, including four lawyers, to order and compile such laws ecclesiastical as should be thought convenient." A work was accordingly composed for this purpose by Cranmer, and translated into Latin with a happy imitation of the clear method and elegant brevity of the Roman jurists by Sir John Cheke and Dr. Haddon, two of the restorers of classical literature in England. This work was not prepared for the royal confirmation before the close of Edward's reign. The greater part

\* 3 & 4 Edw. 6. c. 11.



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 XI. proceedings in courts, is beyond our present province.  
 1553. The Articles on marriage relate to questions of very  
 difficult solution, affecting civil rights, as well as moral  
 interests. The book, not having received royal confirm-  
 ation, is not indeed law, but it is of great authority, and  
 conveys the opinions of our first Reformers on problems,  
 which the law of England has not yet solved. A very  
 brief summary of the chapter on divorce may therefore  
 be proper:—

By the tenth title, divorce was allowed for adultery,  
 and the unoffending party was suffered to marry; but  
 the sentence of a court was declared to be necessary to  
 the dissolution of the marriage. Desertion, long ab-  
 sence, mortal enmities, cruelty of a husband to his wife,  
 were adjudged to be lawful grounds of divorce. Sepa-  
 ration from bed and board was abolished, being super-  
 seded by the extension of divorce. It is impossible to  
 reconcile these enactments with the avowed opinions of  
 their authors, without believing that they considered  
 the answers of Christ in the Gospel, on divorce for  
 adultery, as confined to the national legislation of the  
 Jews, and not intended to have legal force in other  
 countries.

These articles of the proposed code were probably  
 occasioned by the case of Parr, marquis of Northampton,  
 who had divorced his wife, Anne Boucher, for adultery,  
 in the ecclesiastical court; which divorce, however, had  
 no effect beyond that of a legal separation from bed and  
 board. A commission had been appointed to inquire  
 whether, by a divorce of this sort, the connection had  
 not been so dissolved that no divine law prohibited the  
 husband's marrying again. The marquis was too im-  
 patient to wait for the issue of their researches, and  
 married Elizabeth Brooke, a daughter of Lord Cobham.  
 The Protestant canonists, to whose judgment the case  
 of Northampton was referred, made answer to the

queries put to them, "that the band of wedlock being broken by the mere fact of infidelity, the second marriage was lawful." The parliament confirmed this answer, by declaring the marriage of Northampton with Elizabeth Brooke to be valid; but, as the statute passed on the occasion was repealed by a law passed in the following reign, nothing is left of these proceedings but the advised and lasting belief of Cranmer and his associates that a more extensive liberty of divorce ought to be allowed.

The law of England is now, in letter and theory, conformable to the ancient principle of the Roman Catholic church, which regarded marriage as indissoluble. It was not till a century and a half afterwards that a practice gradually crept in of dissolving marriage for infidelity, by acts of parliament specially passed for each separate case; a rude and inconvenient expedient, which subjects proceedings which ought to be judicial to the temper of numerous and open assemblies, while, by its expense, it excludes the vast majority of men from the relief which, by long usage, it may be considered as permanently holding out to suitors. The reader needs not to be reminded that whatever requires an act of legislature to legalise it must in its nature be illegal. It must be admitted, that the intrinsic difficulties of the subject are exceedingly great. The dangerous extremes are, absolute and universal indissolubility, which has been found to be productive of a general connivance at infidelity, and, consequently, of a general dissolution of manners on the one hand; and on the other, facility of divorce in cases very difficult to be defined; a state of things which would be at variance with the institution of marriage, intended chiefly to protect children and women against the inconstancy of parents and husbands. If divorce were procurable for any but clearly defined and most satisfactorily proved facts, husbands would be enabled, as soon as they were tired of their wives, to

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make the situation of the helpless female so uneasy that they must consent to divorce. To make the dissolution of marriage in the proper case alike accessible to all, is one of the objects to which, in great cities and highly civilised countries, it is hardest to point out a safe road.

The duke of Northumberland ruled the kingdom with absolute authority, by means of the Privy Council, with the title of "Admiral and Earl Marshal;" but the health of Edward was beginning to occasion serious apprehensions. His constitution, originally weak and puny, had been so much injured by measles and small-pox, that he was visited by a disorder in the lungs, which, in spite of the numerous improvements in the art of medicine, still continues to baffle the skill of the physician. Jerome Cardan, an Italian physician of great ability and knowledge, whose name is justly celebrated in the history of mathematical science, when on his return from Scotland, whither he had gone to cure the archbishop of St. Andrew's, was consulted in the case of Edward. This physician was addicted to all the follies of magic and astrology. He believed in intercourse with the Devil, yet was charged by his enemies with atheism. He has left an account of his own life, in which he confesses himself to have been guilty of many of the vices which men are generally most solicitous to conceal. His passion for paradoxes led him to compose a serious and earnest panegyric on Nero. He was unable to deliver Edward from his malady, but he ventured from his horoscope to foretell that he was to have a long reign; and when the event would have silenced most men, he, with ready assurance, threw the blame on those who had supplied him with the particulars of the King's birth. We are indebted to him for a character of his royal patient; which, notwithstanding the perverseness and obliquity of the writer, derives some value from his abilities, especially as it was written when Edward had no longer



the power to reward a panegyrist. "He knew Latin and French well, was not ignorant of Greek, Italian, and Spanish, and was not without a competent knowledge of logic, of physic, and of music. A boy of such genius and expectation was a prodigy in human affairs. I do not speak with rhetorical exaggeration, but rather speak under the truth." \* In the conversation of Cardan with the King, in Latin, which he spoke readily and elegantly, Edward put some astronomical questions, which Cardan evaded instead of confessing his ignorance; a circumstance which so acute a man was hardly likely to have invented to his own disparagement.

A parliament was assembled this year, after preparations which indicate the importance to which the House of Commons had arisen. A circular letter was sent to the sheriffs, commanding them "to give notice to the freeholders, citizens, and burgesses, within their county, to nominate men of knowledge and experience," and "declaring it to be the King's pleasure, that whenever the Privy Council should recommend men of learning and wisdom, their directions be followed." Fifteen knights were accordingly recommended, by name, to the sheriffs of Huntingdon, Suffolk, Bedford, Surrey, Cambridge, Buckingham, Oxford, and Northampton. "These," says Strype, "were such as belonged to the court, and were in places of trust about the King." Such recommendations from the crown were continued occasionally for more than a century longer; but it must be owned that the exercise of influence at this time was neither immoderate nor clandestine.

After the prorogation of Parliament, Edward had been carried to Greenwich for his health. He returned in a somewhat amended state, and a gleam of hope seems to have cheered the public; but Northumberland did not relax his measures for aggrandising his

\* Cardan, quoted in Burnet's Collections.

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own family, and for securing a Protestant successor. If Henry the Seventh is to be considered as the stock of the new dynasty, it is clear that on mere principles of hereditary right, the crown would descend, first, to the issue of Henry the Eighth; secondly, to those of Margaret Tudor, Queen of Scots; thirdly, to those of Mary Tudor, Queen of France. The title of Edward was on all principles equally undisputed; but Mary and Elizabeth might be considered as having been excluded by the sentences of nullity, pronounced in the cases of Catherine and Anne Boleyn, both which had been confirmed in parliament. The parties had been expressly pronounced to be illegitimate. Their hereditary right seemed thus to be taken away; and their pretensions rested solely on the conditional settlement of the crown on them, made by their father's will, in pursuance of authority granted by act of parliament. After Elizabeth, Henry had placed the descendants of Mary, Queen of France, on the throne, passing by the progeny of his eldest sister Margaret. Mary of France, by her second marriage with Charles Brandon, duke of Suffolk, had two daughters, the Lady Frances, who had wedded Henry Grey, marquis of Dorset, created duke of Suffolk; and the Lady Elinor, who had espoused Henry Clifford, earl of Cumberland. Henry afterwards settled the crown by his will on the heirs of these two ladies successively, passing over his nieces themselves in silence. Northumberland obtained the hand of the Lady Jane Grey, the eldest daughter of Grey, duke of Suffolk, by Lady Frances Brandon, for the Lord Guilford Dudley, his son. The fatal right of succession claimed by the house of Suffolk devolved, therefore, on the excellent and unfortunate Jane Grey.

It was easy to practise on the religious sensibility of young Edward, whose heart was now softened by the progress of infirmity and the approach of death. It was scarcely necessary for Northumberland to remind

him, that it was his duty not to confine his exertions for the interests of religion to the short and uncertain period of his own life; that he was bound to provide for the security of the Protestant cause after he himself should be no more; and that, without the most energetic measures for that purpose, he must leave the reformers of the Church and the faithful servants of the crown exposed to the revenge of those whom they had incensed by their loyalty and their religion. The zeal and rigour of Mary were well known; and their tremendous consequences could be prevented only by her exclusion. The Princess Elizabeth, who had only a secondary claim, dependent on the death of her elder sister, had been declared illegitimate by parliament; and the will under which she must claim would be in effect deprived of all authority by the necessary exclusion of Mary. Mary, Queen of Scots, the granddaughter of Margaret Tudor, had been educated a Catholic, and had espoused the Dauphin of France. She was almost necessarily, therefore, the irreconcilable enemy of the pure and Reformed Church, which Edward had been the providential instrument of establishing in England. If the will of Henry was valid, why should not Edward, in whose hands the royal prerogatives were as full and entire as in those of his father, supersede by a new will the arrangements of the former, and settle the crown in such a manner that it might continue to be the bulwark of the Protestant faith? Only to the house of Suffolk was it possible to look for the maintenance of the Reformation. Northumberland also could not fail to remind the young King of the excellent qualities of his playmate and companion, the Lady Jane.

As to Elizabeth, the religion of a princess of twenty might not always prove unshaken amidst the importunities, flatteries, promises, and perhaps insinuations of danger which might be directed against her. She



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would be left an unconnected and defenceless female, without those trustworthy advisers who are engaged by personal attachment as well as public duty to support the throne. On the other hand was the powerful house of Suffolk, with its experienced statesmen and veteran commanders, and already in possession of the whole authority and force of the realm. In their hands the securities of the Protestant religion would be entire, perfect, and ready for instantaneous action. In those of all other claimants there was wanting either the will or the strength to protect the Reformed faith. Northumberland might safely repeat his appeal to Edward's reliance on the Lady Jane Grey's steady adherence to her religion, arising from an intimate knowledge of her sincere piety, her undisturbed reason, and her firm, though gentle, disposition. By these and the like reasons of policy, or topics of persuasion, was Edward induced to make a new testamentary disposal of the crown.

Upon this determination of the King's, Montague, chief justice of the common pleas, and two judges of that court, were commanded to attend him at Greenwich, and there ordered to reduce his notes of an intended new settlement of the crown to the form of letters patent. Edward said "that he had considered the inconveniences of the measure, but thought them outweighed by the consideration that if he should decease without an heir of his body, the realm and succession must go to the Lady Mary, who might marry a stranger born, whereby the laws might be changed, and the proceedings in religion totally altered. Wherefore he directed them to draw up a settlement of the crown upon the Lady Jane, the heiress of the house of Suffolk." The judges desired time to consider this alarming proposal. A few days after they were brought before the privy council, from which Northumberland was absent. They represented the danger of incurring

the pains of treason, to which they, and indeed all the lords, would be liable by an attempt to set aside a settlement made under the authority of parliament. Northumberland rushed into the council, trembling with anger, and in a tone of fury, among other tokens of rage, called Montague a traitor, offering to fight in his shirt any man in the cause. Two days after they were once more summoned to attend the council, where the King, "with sharp words and an angry countenance," reproved them for their contumacy. Montague represented that the instrument, if made, would be without effect, because the succession could not be altered without the authority of parliament which had established it. To which the King answered, "We mind to have a parliament shortly: we will do it, and afterwards ratify it by parliament."\* The judges yielded after this promise.

Fifteen lords of the council, with nine judges, and other civil officers, subscribed a paper, promising to maintain the limitation of the succession as contained in the royal notes, which were delivered to the judges to clothe them with legal formality. Cranmer's name was at the head of the first; though, as he afterwards protested, against his will, and without his having been allowed to communicate with the King in private. Sir William Cecil also denied that he had signed it in any other character than as a witness. But the denial seems to have been postponed till it was no longer safe to withhold it.

The most inexplicable circumstance in this transaction is, that, after so much care to influence the elections, an assembly of the Commons should not have been called to perform the task of excluding a popish successor. At a time when all communions professed and practised intolerance, the exclusion of a successor of a hostile persuasion, believed to be of a persecuting temper, and

\* Fuller, Church History, book viii.

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likely to be under the influence of the Austrian princes, who already gave frightful samples of their disposition towards heretics, could only have been regarded as an act of indispensable self-defence. - During the session of parliament, however, the danger of the King was not thought so urgent as to require immediate precautions. There was for a time an apparent amendment in his health; but the sudden disappearance of favourable symptoms compelled Northumberland to recur to measures of an illegal and violent description, which he might still hope that Edward would live long enough to legalise in parliament. Writs for a convocation of that assembly were issued about the time of the conferences with the judges.

Henry the Second, the new king of France, took early measures to sound the court of England, the dispositions of which were of great importance to him in his differences with Charles. Noailles, his ambassador in London, represented the rumours of recovery as having been spread by Northumberland to gain time for his preparations. He considered a promise to present him speedily to the King as a feint to cover other designs; and treated a festival, given by the minister professedly to celebrate the King's recovery, as an artifice of the same sort. He had been informed that the opinion of the physicians was, that Edward's complaint was pulmonary, and had symptoms of an advanced stage of consumption. But the ambassador five days afterwards tells his master that Edward was thought out of danger. Some part certainly of the ministerial language, which he described as proceeding from a deep plot, arose only from the natural anxiety of most ministers to speak, and sometimes to think, as favourably as they can of their master's health. The French ambassador had good reason to be watchful; for Henry had been informed that measures were on foot at Brussels to revive the old treaty of marriage with Mary.



The deathbed devotions of Edward bear testimony to his love of his people, and to his fervid zeal against what he conscientiously believed to be corruptions of true religion. "O Lord! save thy chosen people of England. Defend this realm from papistry, and maintain thy true religion," was the prayer which he uttered. Whatever were the motives of others in the irregular measures which had been adopted, the prayer of Edward discloses the purity of his spirit, and is sufficient to prove that he consented to deviate from law only because the deviation seemed to him to be warranted by the necessity of defending religion. He now sank rapidly. On the day before his demise the Council made an attempt to lure the Princess Mary into their hands, by desiring her, in the name of her brother, to repair to London. After she had made some progress in her journey, she received from Lord Arundel private warning at Hunsdon, which induced her to shun the snare, and betake herself to her residence in Norfolk. Had Northumberland acted with more rapidity, he might have secured Mary and Elizabeth, by obtaining a few days sooner the King's commands that they should come to attend the sick bed of a brother. On his procrastination the events that followed hinged. Perhaps, however, he thought that Mary would be more dangerous as a prisoner in England than as an exile at Brussels; and he may have connived at her journey towards the coast, that she might be driven to that unpopular asylum. Shortly after, this amiable and promising boy breathed his last in his palace at Greenwich. His disease was putrefaction of the lungs. His position in English history, between a tyrant and a bigot, adds somewhat to the grace of his innocent and attractive character, which borrows also an additional charm, from the mild lustre which surrounds the name of Lady Jane Grey, the companion of his infancy, and the object of his dying choice as his successor on the throne.

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A solemn embassy from the Imperial court at Brussels arrived too late to find Edward alive; instructed to declare, that, if the King should die, and the crown should descend to Mary, the Emperor would approve of her marrying an Englishman; nor object to her promising that there should be no change in religion if the people so required. On their arrival they openly threatened that Charles would not endure such a wrong to his kinswoman as her exclusion. From this moment Simon Renard, who really conducted the Imperial business, leaving the grandeur to his colleagues, became the secret counsellor of Mary, and the soul of her political measures. It was a necessary consequence of his ascendancy that Noailles paid court to every discontented party, nourished hopes of French aid, supplied the needy with money, and probably magnified the success of this policy to himself before he represented it in such bright colours to his court. It need not, however, be imputed to diplomatic contrivance that he calls the young Queen Jane "wise, virtuous, and beautiful," for in this language he agrees with all who saw and heard her.

Northumberland concealed the death of the king for two days. As has already been related, the Council apprized the ambassadors of the event; and communicated it also to the lord mayor and aldermen of London, that they might prepare for the coronation of the Lady Jane. Mary received the intelligence from her friends at court; and immediately wrote a letter to the Privy Council, expostulating with them for their undutiful concealment, solemnly affirming her right, and tendering an unreserved pardon on condition of their causing her to be at once proclaimed. In their answer they declared their unshaken adherence to the lawful title of Queen Jane. Both parties, accordingly, prepared to decide the contest by an appeal to arms. Mary fixed her residence at Framlingham Castle in

Suffolk; where the people, retaining an indignant remembrance of the severities employed to suppress Ket's rebellion, hated Northumberland; and where she might easily receive assistance from the Low Countries, or make her escape thither in case of need. On the same day also, Northumberland and Suffolk communicated to the Lady Jane the tidings of Edward's death, and of her own elevation to the throne. She fainted at the announcement, apparently as much affected by the latter as by the former of these occurrences. Subsequently describing the transaction in a letter to Mary, she says, "As soon as I had, with infinite pain to my mind, understood these things, how much I remained beside myself, stunned and agitated, I leave to those lords to testify who saw me fall to the ground, and who knew how grievously I wept."\* When she had recovered from the agitation thus described, she is said to have urged the very simple and natural topics of the preferable claim of the princesses, agreeably to the law of the realm and the commandments of God. Her dignified reserve probably prevented her in the letter to Mary, cited above, from adverting to that and to many other parts of the conference farther than by a general reference to eye-witnesses. They pressed her with the authority of the judges. She gave the strongest proof, that a woman of her piety could offer, of her desire to act conscientiously, by imploring the guidance of Supreme Wisdom.

It is somewhat remarkable that the proclamations of Jane in London, and of Mary at Norwich, excited no shouts of applause, and produced no outward marks of interest. The uncertainty of the event probably smothered the zeal of both parties. The whole public authority and ordinary force of the realm were in the hands of the Protestants; but Northumberland's supineness delayed the advance of his troops long enough

\* Turner, History of England, vol. v. p. 216.



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to suffer the friends of Mary to assemble in force. He now felt the effects of the popularity of Somerset, whom he had destroyed. The remembrance of the popular Protector divided the Protestants, great part of them co-operating with the still powerful party of Catholics. The concealed followers of the ancient religion threw off the mask: while the lukewarm, the hesitating, and the timid, stood aloof. Scarcely any but those adherents of the Reformation, who were ready to sacrifice all for it, could now be relied on, if there should be any appearance of a struggle. Even these must have felt painful misgivings at the prospect of the triumph of Northumberland. Never was there a more striking contrast than that between the most amiable of sovereigns and one of the most odious of ministers. Though Northumberland was now the champion of the Protestant cause, the sincerity of his attachment to it was much, and, as it appeared afterwards, not unjustly doubted.

Shelley, who had been sent by Northumberland to the Emperor, was refused an audience, who also refused to receive a letter in which Jane notified her accession.

Bishop Ridley, one of the most zealous of the Protestant prelates, preached a sermon at Paul's Cross in support of the title of Jane Grey, with severe animadversions on the religion of Mary; almost the only perilous act of homage to the unfortunate lady after she had begun her fleeting reign. Both aspirants issued commands to lord lieutenants and sheriffs to march with the power of their counties to the aid of their rightful sovereign. Northumberland watched over the capital and the court, while Suffolk put himself at the head of the army against the followers of Mary. The former, however, was persuaded, either treacherously (according to the general opinion) or at least fatally, to take the armed force into his own veteran

and victorious hands, leaving Queen Jane and the Council to Suffolk, who had no name in war. Shortly after, the earls of Oxford, Bath, and Sussex, with some commoners of note, seceded from the Council. Intelligence poured in from all quarters of the turn of the populace towards Mary: farmers refused to follow their lords against her: in a squadron of six ships of war sent to Yarmouth to intercept her expected flight to Brussels, the seamen mutinied against their officers, and brought over the vessels to her cause: Lord Arundel, a concealed Catholic, manifested the motives which had induced him to advise Northumberland to take the field in person by deserting the Council. The duke of Suffolk had been persuaded to suffer some lords to leave the Tower; who assembled, with others favourable to Mary, at Baynard's Castle, the house of the earl of Pembroke; where, after long invectives against Northumberland, Lord Arundel concluded with an exhortation to heal the disorders of the kingdom by proclaiming the Lady Mary, who had declared to the people of Suffolk that she would disturb nothing established in religion. Pembroke seconded this proposal with violence. The lords, attended as usual by the magistrates of the city, rushed into the street and proclaimed Mary; surprising the Tower, which Suffolk, overwhelmed by this sudden defection, had abandoned. He also caused the ceremonial of royalty to cease, and its ensigns to be displaced in the apartment of his daughter; who, when exhorted by him to bear her fall with fortitude, answered with modest composure,—“This is a more welcome summons than that which forced me against my will to an elevation to which I am not entitled, and for which I am not qualified. In obedience to you, my lord, and to my mother, I did violence to myself: the present is my own act, and I willingly resign.” On the next day she returned to her retirement in the monastery of Sion. She reigned

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CHAP. ten days, and was called a "twelfth-day queen," by  
XI. some paltry buffoon, who could look on the misfortunes  
1553. of the good as the subject of a sorry jest.

Before these decisive events in London, Northumberland had been obliged to fall back from Newmarket to Cambridge, at which last town the rapid progress of adversity compelled him to proclaim Mary. This humiliating measure, however, did not save him from being led a prisoner for high treason to the Tower of London, lately his palace.



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## MARY.

MARY, accompanied by her sister Elizabeth (who for the moment had a common interest with her, and had joined her at the head of two thousand horse), made her triumphal entry into London. The day before, she had bestowed the great seal on Gardiner; who had atoned for his former hostility to her mother's marriage by recent services as well as sufferings, and was still more recommended to her by the importance of employing his abilities in her councils. The first act of Mary's reign was gracious. On the afternoon of her entrance into the Tower, she found there several sufferers for her party, and others who had at least suffered from the same enemies. She had the satisfaction of releasing the aged duke of Norfolk, and her kinsman Edward Courtenay, whom she soon after created earl of Devon. The haughty duchess of Somerset also owed her liberty to the generosity of a princess from whom no gratitude was due to her. The duke of Suffolk was committed to the Tower, but enlarged and pardoned a few days after. Northumberland, Northampton, and Warwick were tried for high treason in the court of the lord high steward. Northumberland defended himself by alleging the authority of the privy council; a defence in some degree equivalent to an appeal to the statute of Henry the Seventh, which justifies obedience to one who is an actual, though not a rightful, possessor of supreme power. It seems doubtful, however, whether an authority owned in the capital for ten days was not too transient and partial to deserve the name of actual pos-

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CHAP. session. Sir John Gates, Sir Henry Gates, Sir Andrew  
 XII. Dudley, and Sir Thomas Palmer, were tried for the  
 1553. same offence and convicted. Northumberland, with Sir  
 John Gates and Sir Thomas Palmer, were executed. Northumberland owned on the scaffold that he had never ceased to be a Roman Catholic; a confession not attended with those marks of penitence which might have rendered it respectable. It served only to strip his conduct of any palliation which the mixture of a motive, in its general nature commendable, might have afforded.

All the deprived Catholic bishops, Gardiner, Bonner, Tunstall, Day, and Heath, were restored; the deprivation being pronounced to have been uncanonical. The Protestant bishops, in the eyes of their Roman Catholic judges, had incurred deprivation by marriage, or more extreme penalties by preaching heresy. The gentle, but timid, Cranmer was committed to the Tower, whither he was followed the day after by Latimer, a man in all respects but religion directly opposite to the primate; brave, sincere, honest, inflexible, not distinguished as a writer or a scholar, but exercising his power over men's minds by a fervid eloquence flowing from deep convictions. As he passed through Smithfield on his road to the Tower, he said, "Smithfield has long groaned for me."\* The liberty of speech, for which he had resigned his bishopric under Henry, was now treated by the Council as insolence, and alleged in their books to have been the ground of his committal.

Charles, who continued his instructions to Mary through Renard, when he had heard of the revolution in her favour, advised her to marry; adding that if she consulted him as to whom she would choose, he should freely give his advice. At the suggestion of his ministers in London, the funeral of Edward was performed by Cranmer according to the English ritual. He recom-

\* Fox, Martyrology.

mended, in the common-places of state-paper phraseology, a judicious selection of examples both of justice and mercy. The merciful part of his advice was not, however, that on which he most relied; for Renard strongly urged the execution of Jane, and, after a month's consideration, Charles earnestly advised her to punish without mercy all those who had attempted to rob her of the crown. Should the Queen's scruples in the case of the involuntary criminal of seventeen prevail, he counselled at least a rigorous imprisonment. The king of France, however, earnestly urged her to wait for parliament before she contracted irrevocable engagements, knowing the humours of her people, easily excited, and hard to be reconciled to a foreign master.

The advice of the Emperor on ecclesiastical policy was prudent; but Gardiner and Paget, the old servants of Henry, who well remembered the ease and safety which the ready concurrence of slavish parliaments had given to that monarch's innovations, must have felt, after the long period since the people had been separated from the communion of Rome, the necessity of the same apparently national sanction. One of Mary's earliest measures was a proclamation declaring that "she could not hide her religion, but that she mindeth not to compel any of her said subjects thereunto until such time as farther order by common consent shall be taken therein;" a declaration which probably conveys the true sense of the Emperor's advice, and justifies the expectations expressed by the upright Latimer, however it might lull the alarms of the credulous multitude. The parliament, soon after assembling, in a session of nineteen days, passed only three acts: one for the abolition of all the treasons and felonies of Henry the Eighth; one for the restoration in blood of Gertrude, marchioness of Exeter; and another for the like restitution of that lady's son, Edward Courtenay, now created earl of Devon. It seemed becoming to separate these

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acts of personal and public grace from all other matter. The second session passed several momentous and memorable laws. The object of the first of these was to declare the validity of Henry's first marriage, to pronounce his divorce void, and to repeal those statutes made in affirmance of it which had declared Mary to be illegitimate. All titles under the will of Henry were thus destroyed; and, not content with the necessary implication setting aside Elizabeth, the parliament excluded her as much as if she had been named, by expressly confining the abrogation of illegitimacy to Mary. The road to Rome was thus thrown open; and it required little discernment to foresee that a reconciliation with the Ancient Church was fast approaching.

The progress of the revolution, however, was cautious; for, though the acts of Edward respecting the Sacraments, the election of bishops, the marriage of priests, the Mass and the Worship of Images, the ordering of ministers, the uniformity of public worship, the keeping of fasts and holidays, and the legitimization of the children of priests, were repealed, yet it was at the same time provided, "that the divine service used in England in the last year of Henry, and no other, shall be used." The outward innovations were, therefore, thus far founded on the apparent principle of restoring the worship and discipline established by Henry. The clauses respecting the marriage and divorce, though Gardiner had framed them with such dexterity as to elude the mention of the still alarming name of Pope, could only be justified by papal authority. They led by necessary consequence to the recognition of the jurisdiction of the Supreme Pontiff, and with it of the whole doctrine and discipline of the Roman Church.

The pause which preceded the perfect re-union with Rome was occupied by events of considerable importance, both in themselves and as they contributed towards the sole object of the Queen's policy. Zealous

Catholics outran the course of the government. The parochial clergy restored the altars and resumed their Latin prayers before they were authorised to make these changes. Romanists, more discerning, blamed their party for setting the example of tumultuary re-formations, from which the ancient religion had more to fear than to hope.

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Mary was soon crowned at Westminster with the accustomed solemnity and splendour, of which the description sometimes renders our picturesque chroniclers prolix. In the carriage which immediately followed her were seated her sister Elizabeth and the Princess Anne of Cleves; two ladies singularly unlike in their fate. The latter princess, either above or below ambition, escaped from the doom of heresy, and enjoyed, for the remainder of her days, the gratification of an ample income, and the safety of a private condition. The Imperial ambassadors reported to Charles that they had overheard Elizabeth, who carried the crown, whisper to M. de Noailles that it was very heavy, and that she was tired of carrying it; to which he replied, that it would be lighter on her head. The anecdote is doubtful on several accounts; but especially because Noailles himself does not mention it in his correspondence with his court. Elizabeth, who had just completed her twentieth year, was about to close the studious quiet of her early life, that she might enter on those sharp trials of adverse fortune which were to exercise her vigorous faculties and strengthen her commanding genius; thus qualifying herself for that stormy and glorious reign which, if it had some stain of Tudor vices, yet, besides the prudence of her grandfather and the energy of her father, displayed many great and some good qualities, of which the rudest outline cannot be traced in the character of those bad princes. Her position was at this moment difficult. The Protestants were already beginning to turn their eyes with trembling hope to the

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daughter of Anne Boleyn. From her alone, after the defeat of Northumberland, the Catholics had to dread an adverse administration. In such a state of things, both parties were prone to spread and to believe every rumour, ascribing to her projects of aggrandisement which, in her case, seemed to offer the sole chance of safety.

The main object of the Catholic party was to secure their church by obtaining a suitable marriage for Mary. Some spoke of Cardinal Pole; but his age of fifty-three was an insurmountable objection. The youth and figure of her cousin, the earl of Devon, perhaps pleased for a moment the stern and gloomy Queen. He does not seem to have betrayed any partiality for Elizabeth till Mary openly declared against him; though, according to Burnet, the latter was thought to have some inclination to marry him, had he not shown a preference for Elizabeth, who had much the better share of the beauty that was between them. She objected to some of his irregularities, but as there had been little opportunity for them in his long imprisonment, it is improbable that she should have considered them as without excuse. It may be believed that he had contracted in the Tower connections, propensities, and manners unsuitable to his station. True Englishmen of both religions must have preferred a native to a foreign husband, especially if the latter was formidable by his power, and tyrannical in his temper and policy; but there was little time for debate. As Charles had advised the Queen to marry, and said he was ready to give his advice on her choice, she referred herself entirely to his judgment. Her ministers proposed his nephew, the Archduke, as one who would be acceptable in England, from the small power and remote dominions of which he was heir. He dissuaded her from this selection. She yielded, but, shortly after, complained of delay in Charles's decision. His answer was, that seeing Cour-



tenay was not agreeable to her, and that Pole would not quit his ecclesiastical character, he thought with her that a foreign prince would suit her better than a private subject of Great Britain; that if his own age and health had not unfitted him for marriage, he should have had the greatest satisfaction in wedding her himself; but that, as he could not propose himself, he had nothing more dear to offer to his beloved kinswoman than his son Philip. The Emperor begged that the Queen should not communicate this proposition to any of her English ministers. However singular it may be, there appears to have been a species of coyness in Mary's advances, and of pedantic chivalry in Charles's replies, which throws over their correspondence a ludicrous air of superannuated gallantry. Charles's declaration, that he agreed with Mary in thinking a foreign prince a more suitable husband for her than a private subject, sufficiently indicates a previous hint from her of her inclination towards a Spanish match; which she must have intelligibly conveyed to Charles in the first month of her reign.

Gardiner's former life, and present station, were peculiar motives for his not wishing success to the Spanish match, even if he must be supposed to have been void of the generous prejudices of his country against a foreign ruler. Philip was already known to be no supine or indulgent master. It was well remembered by the more constant Catholics that the bishop of Winchester had been the most active agent in obtaining the divorce of Catherine, which he was now persuading the parliament to condemn in the severest terms of reprobation. It is likely that Gardiner did not desire any completer reconciliation with Rome than was absolutely exacted by the scruples of Mary's conscience; but rather wished to moderate a victory in which he might apprehend that he would be entirely eclipsed by the royal descent, refined literature, and

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stainless life of Pole. The Spanish match was so decisive an advance towards Rome, that the same cautious policy was thought necessary in conducting it which is discoverable in the rest of Gardiner's administration. Charles apprehended the indiscretion of Pole, whose generous nature as well as sincere religion made him so impatient of artifice as to be averse even from the resort to the most common management. Pole distrusted such a veteran politician as the Emperor, whom he justly considered as too habitually employed in projects of aggrandisement to be capable of fixing his mind mainly and constantly on the interests of religion, however he might coldly assent to its doctrines.

Secret communication between Mary and the Papal court had begun very early. Commendone, a Roman courtier, was sent to England by the legate at Brussels. He landed secretly, and, having hired servants unacquainted with his true name, arrived safely in London. There, however, he was perplexed how to proceed, till by accident he met Lee, who had fled beyond sea in the former reign, where he had become known to him, now one of the Queen's servants. Lee introduced him to a secret audience of the Queen; who owned her design of restoring her religion, but added, that prudence and secrecy were necessary to prevent her intention from being frustrated. She intrusted Commendone with letters of this tenor for the Pope and Pole; who after having seen the execution of Northumberland, an earnest of the firmness of the Queen, repaired with these acceptable tidings to the court of Rome.

The Pope, without delay, nominated Pole to be legate to Mary. The pious cardinal eagerly hastened to perform this apostolic duty. But Charles required the mission to be delayed: urging the necessity of adopting every measure of precaution before the Papal authority

should appear in the person of a legate. He distrusted the English spirit of Pole, who might, on his return to his country, catch the disinclination of his countrymen to a foreign master. He could not, after his correspondence with Mary, have been actuated by jealousy of her inclination to espouse her kinsman, though this circumstance has been alleged as one of the motives of his conduct. It is very probable that Charles urged and believed in the necessity of a powerful marriage, with the assurance of foreign aid, as a preliminary to the re-establishment of the old religion; though the sharpest of the stimulants which excited him was doubtless the prospect of an immense and immediate accession to his mighty empire. Pole's mission and the Spanish match were two subjects of irreconcilable difference between him and the English ministers, supported by the Emperor. The latter urged the necessity of proceeding by very cautious steps to the total restoration of popery. Pole was indignant at the continuance of any remains of the schism. They considered a Papal confirmation of all sales and grants of church lands as essential to the consolidation of their political system. Pole protested against this demand, and prayed the Pope rather to recall him than to require his participation in sacrilegious rapine. Mary took the politic side on both these points, because it was that of the court of Brussels; and wrote to her kinsman to assure him that the life of a Papal legate would not at that time be safe in England.

As soon as the intended marriage was noised abroad, the Commons took alarm. They presented an humble address to the Queen, beseeching that she would be pleased to provide for the continuance of quiet by a matrimonial union, but earnestly imploring her to prefer a native to a foreigner. She resented this address. Mary's answer was haughty, having been pro-



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bably dictated by the Imperial ministers. She was moved by it to a step not a little remarkable in a princess otherwise decorous in her manners and delicate in her sentiments. On the evening of the address she sent for the Imperial minister, whom she conducted to her private oratory, and there kneeling before the altar, after reciting the hymn *Veni, Creator*, she called God to witness that she solemnly plighted her troth to Philip, prince of Castile. She was driven to this act of forwardness by the popular discontent which the address of the Commons had embodied. By the advice of Gardiner, who had now conquered whatever repugnance he might have formerly felt to the marriage, Charles borrowed one million two hundred thousand crowns from the imperial cities, to be employed in softening the hostility of the lords and commons on this occasion; the first instance of any rumour of the corruption of parliament. Philip, nine years younger than the unattractive queen, did not sacrifice taste to aggrandisement without hesitation. After the prorogation of parliament, which one writer\* ascribes to their refusal to bastardise Elizabeth by name, a magnificent embassy came from the Emperor, publicly to solicit Her Majesty's hand for Don Philip, the heir of the Spanish, Italian, and Burgundian dominions of the house of Austria. The count of Egmont, who was at the head of this embassy, on his landing found so great was the national dislike to the union, that he and his colleagues had some difficulty in escaping decisive marks of popular disapprobation. Upon their being presented to the Queen, she referred them to her ministers, who were easily persuaded to advise her in the manner which they knew to be most agreeable to her wishes. Gardiner represented the measure in the fairest colours of his eloquence to a willing Privy Council, and announced it afterwards to the mayor and magistrates

\* Carte.

of the capital, with a skilful parade of its advantages. As he continued in office during his life, which lasted eighteen months after the marriage of Philip, it is not probable that the chancellor ever carried his opposition on such delicate subjects to an inconvenient extent.

Though the treaty of marriage was not ratified till three months after, the conditions were substantially fixed now. The most important were, that the appointment to all offices in the English dominions should be left to Her Majesty, and confined to natural-born subjects; that the laws and privileges of England should be preserved; and that the English nation should continue to employ in their affairs the languages to which they had been anciently accustomed. Don Carlos, Philip's eldest son, was declared heir of Spain, the two Sicilies, and Lombardy; which, on failure of him and his progeny, were to devolve on the issue of the present marriage, who were also to be the immediate heirs of the provinces of Lower Germany.

But these specious conditions were far from appeasing the national discontent. The object of Charles, it was said, was attained. He had obtained a footing for his son in England. That prince might smile at terms which he could and would break at the head of a foreign army. All true Protestants must see with horror that they were to be subjected to the Inquisition. The lovers of liberty foretold the overthrow of their ancient constitution; they predicted that England, become a province of Spain, would be ruled with the same iron sceptre under which the Netherlands, Milan, Naples, and Sicily were groaning. Men of common humanity shuddered at the yoke of those who were inured to blood and rapine in the course of extirpating the natives of America. Charles, the sovereign of a great part of the old and the new world, if his son were once established in England, would have no difficulty in deluging it with

CHAP. the veteran mercenaries and hardened adventurers who  
XII. covered his vast dominions.

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A revolt was resolved on to avert these evils, which had in its first outline some chance of success. Sir Thomas Wyatt the younger was to take the field in Kent. The duke of Suffolk was to raise his tenants in the midland counties. Sir Peter Carew was the expected leader in Devonshire. Henry, king of France, who dreaded the aggrandisement of Charles, gave hopes of aid to the malcontent chiefs. Noailles his ambassador entered eagerly into these projects, and greedily swallowed every rumour which magnified the strength of the revolters. It is the fate of such ministers as he to be deceived; and their general disposition to exaggerate circumstances which exalt their own importance. The earl of Devonshire, an imprudent youth, lent an ear to Carew's temptations. The Princess Elizabeth refused to attend her sister to Mass. Urged by those whose importunities were threats, she tried to gain time, by throwing herself at her sister's feet, and with tears in her eyes, praying that she might not be pressed to abandon the religion in which she had been reared. On the eve of the coronation she yielded to the same apparent conformity which Mary had practised in obedience to Henry. Her attachment to her religion was, however, so well known, that this compulsory conformity deceived neither party. She had been incensed at the sentence of bastardy virtually pronounced against her in the statute which established the throne of the reigning Queen. She was displeased by the precedence over her given to other ladies of the court, as a clear, though frivolous, mode of displaying her illegitimacy. She was impatient of the importunities which beset her, and indignant at the necessity of purchasing life by hypocrisy. It is uncertain whether the consummate prudence which distinguished her subsequent conduct had prevailed over her natural feelings so entirely as to



induce her to decline all suspicious intercourse and dangerous propositions. Even if thus prematurely wise, she could not fail to be represented as sharing all daring projects by those who hoped much from her name, as well as by those who sought a pretext for her destruction. The French minister, who was deeply engaged in the plot, was a credulous witness respecting the princess's share in it. Accusation and rumours, however general, are of little or no value where they would be as certainly pointed against the innocent as the guilty. But it must be owned that her forbearance, if complete, must be attributed more to prudence than to loyalty.

The conspirators had at first decided to postpone the rising till the arrival of Philip, who was expected shortly, should raise to its highest point the unpopularity of the marriage. The discovery of their designs broke their measures. They took up arms to escape from their enemies before their preparations were ripe, and Carew fled to France. The duke of Suffolk, a Protestant so zealous as to have already forgotten the recent mercy shown to him, displayed his boldness by an attempt to excite his tenants in Warwickshire. His success was small. His followers were routed by Lord Huntingdon, and he was himself betrayed to his enemies by one of his own park-keepers. The same day on which Suffolk left London, Sir Thomas Wyatt raised the standard of insurrection at Maidstone. He established his head-quarters at Rochester, and was joined by no contemptible number of the men of Kent. After several skirmishes, with various results, the duke of Norfolk was sent to quell the rebellion. He arrived at Strood, a suburb of Rochester; but as he was about to begin the attack, Breté and other officers of the Londoners, who composed a large part of his force, fell back from their post with their soldiers; and as soon as the first gun had been fired, shouted aloud several times, "We are all Englishmen!" The duke made an effort

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to turn his artillery against them, but the national feeling prevailed. Norfolk, attended only by the captain of his guard, shifted for himself. Such was the terror spread by this defection, that the Imperial ambassador fled from London; and the court opened an ineffectual negotiation with Wyatt, now at the head of fifteen thousand men. At this moment of panic, Mary went to Guildhall, and harangued the citizens of London, with much of the spirit of her race, and with a success which has often attended female sovereigns in their addresses to a susceptible multitude. She said, "On the word of a Queen I promise and assure you that, if it shall not appear to the nobility and commons in the high court of parliament that the marriage is for the singular benefit of the whole realm, I will abstain from it." The same day, Wyatt advanced to Deptford, where he halted, as it seems imprudently, for twenty-four critical hours. Twenty thousand men had now enlisted under Mary's standard. Wyatt, whose quarters in Southwark were commanded by the cannon of the Tower, having been defeated in an attempt to force London Bridge, marched to Kingston, where he passed the remains of the bridge without resistance. He had concerted measures with his still numerous friends in the city; but lost their aid by one of those defects in punctuality to which night warfare is liable. Arriving at Hyde Park Corner, he marched to Charing Cross, filling the court with such consternation, that even Gardiner entreated the Queen to throw herself into the Tower. The daughter of Henry the Eighth scorned the advice. At Charing Cross a conflict ensued, during which Wyatt, eager to resume his communications with his city adherents, advanced at the head of four hundred men, towards the city, till he found Ludgate barred against him by Lord Effingham. Disheartened by this unexpected resistance, the greater part of his followers were either dispersed or slain.

With a remnant of about eighty he fought his way back to St. James's: and after performing deeds of prowess worthy of his name, he surrendered his sword to Sir Maurice Berkeley. Had his confederates, Suffolk, Courtenay, and Carew, resembled him; had he delayed the onset even a little longer; had he wasted no irrecoverable time, when all depended on speed, the event might have been different. For the body of the people had not been appealed to: the insurrection of a county had been quelled almost as soon as its commencement had been made known. "The discontents of the subject," says Noailles, "are not at all abated, but, on the contrary, increase daily." \* Some months before, Lady Jane Grey and Lord Guilford Dudley had been convicted of high treason. But no time had been fixed for their execution, and their treatment indicated some compassion for involuntary usurpers of seventeen. The ingratitude of Suffolk, however, proved an incentive sufficient to prevail over the slender pity of bigots and politicians. Mary signed a warrant for the execution of "Guilford Dudley and his wife;" for such was the manner in which they were described at a moment when discourtesy wears its ugliest aspect. Dudley was led to execution on Tower Hill, having previously requested an interview with his beloved wife. She, from a fear that it might unfit both for the scene through which they were to pass, declined it. She saw him go through the gate of the Tower towards the scaffold; and, soon afterwards, chancing to look from the same window she saw his bleeding carcass, imperfectly covered, in the cart which bore it back. Feckenham, abbot of Westminster, had endeavoured to convert her to the Catholic faith. He was acute, eloquent, and of a tender nature; but he made no impression on her considerate and steady belief. She behaved to him with such calmness and sweetness, that he had obtained for her a day's respite.

\* Noailles, 4th March, 1554, *Embassades*, vol. iii. p. 97.



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So much meekness has seldom been so free from lukewarmness. She wrote a letter to Harding on his apostasy, couched in ardent and even vehement language, partly because she doubted his sincerity. Never did affection breathe itself in language more beautiful than in her dying letter to her father, in which she says, "My guiltless blood may cry before the Lord, Mercy to the innocent!"\* A Greek letter to her sister, the Lady Catherine, written on a blank leaf of a Greek Testament, is needless as another proof of those accomplishments which astonished the learned of Europe, but admirable as a token that neither grief nor danger could ruffle her thoughts, nor lower the sublimity of her sentiments. In the course of that morning she wrote in her note-book three sentences in Greek, Latin, and English, of which the last is as follows: — "If my fault deserved punishment, my youth, at least, and my imprudence, were worthy of excuse. God and posterity will show me favour." She was executed within the Tower, either to withdraw her from the pitying eye of the people, or as a privilege due to the descendant of Henry the Seventh. She declared on the scaffold that "her soul was as pure from trespass against Queen Mary as innocence was from injustice: I only consented to the thing I was forced into." In substance this allegation was true. The history of tyranny affords no other example of a female of seventeen put to death for acquiescence in the injunction of a father, sanctioned by the concurrence of all that the kingdom could boast of what was illustrious in nobility, or grave in law, or venerable in religion, by the command of a female and a relation. The example is the more affecting, as it was that of a person who exhibited a matchless union of youth and beauty with genius, learning, and piety; whose affections were so warm, while her passions were so perfectly subdued. It was a death sufficient to honour and dishonour an age.

\* *Biographia Britannica*, vol. iv. (24,200).

The execution of her father took place a few days afterwards. Sir Nicholas Throgmorton was tried, and made so good a defence, on grounds of law, that the jury acquitted him; for which several of them were heavily fined, according to an usage then of unquestioned legality. Wyat was next convicted. Nearly a month appears to have been employed in labouring to extract information from him against the Princess Elizabeth. The attorney-general at the trial aggravated his criminality by saying, "Your attempt reached, as far as in you lay, to the second person in the realm, whereby her honour is brought in question." Wyat wholly disclaimed the imputation. "Being in this wretched estate," said he, "I beseech you not to overcharge me, nor to make me seem that I am not."\* The brave youth was beheaded.

It was not till late in the year that Elizabeth obtained leave to retire to her house at Ashridge, where it was possible for her to escape the constrained participation in a worship which she disapproved. There she received propositions and suggestions from the chiefs of the malcontents, who probably intended, in due time, to act in her name; but her consent or acceptance was not shown, nor even seriously alleged. Her utmost offence seems to have been the misprision, or concealment, of rebellious projects, which was not a capital crime.

Immediately after the discomfiture of Wyat, a party of gentlemen were sent to Ashridge with a body of troops to conduct Elizabeth to London. They were enjoined to bring her "quick or dead," or, in other words, to use any force necessary to their purpose, if the court physicians, who were sent with them, should pronounce her capable of being carried to the capital without danger to her life from the journey. They arrived after she had retired to rest; but, she declining

\* Holinshed, vol. iv. p. 29.

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to see them till the morning, they immediately forced their way into her bed-chamber. "Is the haste such," said she, "that it might not have pleased you to come to-morrow in the morning?" They professed "that they were right sorry to see her in such a case." She replied, "And I am not glad to see you here at this time of night." Her illness was so unfeigned that it compelled the courtiers and their physicians to allow her an unusual time for her journey, and she did not enter London till some days after. "While the city," says Noailles, "was covered with gibbets, and the public buildings were crowded with the heads of the bravest men in the kingdom, the Princess Elizabeth, for whom no better lot is foreseen, is lying ill about seven or eight miles from hence, so swoln and disfigured that her death is expected."\* He doubted whether she would reach London alive. In passing along the streets, she ordered her litter to be opened, in order to show herself, and was apparelled in white, as the emblem of innocence. The paleness produced by her distemper was perceived and pitied by the beholders, notwithstanding the lofty port which she assumed. Her youth and strength triumphed over the disease. She demanded an audience of the Queen, asserted her innocence with the utmost boldness, and claimed the interview on the grounds of a promise made by her sister. But the request was vain. "The Lady Elizabeth has recovered her health, but it is a recovery of little importance; for her death is determined on."† "The Queen," continues the French ambassador, "goes to Richmond before Easter, to do penance, and to command acts of cruelty."

Two councils were held on the fate of Elizabeth. One party, supported to the last by the advice of the Emperor, urged the absolute necessity of destroying her, and the folly of sparing a traitress, who defeated

\* 21st February, Emb. vol. iii. p. 78. † Noailles, Emb. vol. iii. p. 121.



the law more effectually by her skilful evasion of it. Lord Arundel and Lord Paget were the authors of these lawless counsels. On the other side, the more experienced of the English counsellors doubted, perhaps denied, that Elizabeth could be legally convicted of treason under the act of Edward the Third, the only law now applicable to the offence. That ancient law, dear to the people by contrast with the late bloody statutes, required open and outward acts to be done by the accused in furtherance of their criminal designs. Gardiner, though he professed to think Elizabeth deserving of death, yet considered her confinement at Ashridge and Courtenay's residence at St. James's as irreconcilable with a just conviction for treason. If the present construction of the statute of Edward then prevailed, he must not only have held that there had been no levying of war, but that a conspiracy to rebel was not capable of being proved against her. Our information, which flows from foreign ministers, throws no light on such subtle distinctions. But it is so probable as to allow little doubt that Gardiner would not have scrupled about the removal of a person so obnoxious, if there had been any sufficient evidence of Elizabeth's assent to the projects of revolt suggested to her by Wyatt and perhaps by Courtenay. It is not wonderful that a man grown grey in the affairs of state should have shrunk from the public and personal danger likely to attend the illegal execution of the second person in the commonwealth. No other motive can reasonably be supposed to have influenced his conduct. Elizabeth often assured a French minister, long after these events, that she expected death, and that the Queen thirsted for her blood; a circumstance which exactly tallies with the expectations of Noailles. She probably owed her life to her illness at Ashridge, which hindered her from being tempted or carried into the camp of the insurgents. A subordinate question

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arose in the Council, whether Elizabeth, having been absolved from a capital charge, should be committed to the Tower. On this question, fearing to displease the Queen by too frequent opposition, Gardiner took the severe side.

Elizabeth was accordingly committed to the Tower; certainly with no other expectation on her part than that of mounting the scaffold of her unhappy mother, of which all the horrors had just been revived by the recent fate of the Lady Jane Grey. For some time after her imprisonment she was harassed by examinations; which, after the resolution of the Council, could have been prompted only by a desire to discover some means of satisfying the lingering hatred of Mary and the bloody policy of Charles. In a few weeks there seemed no remaining means of gratifying Mary's revengeful spirit by keeping up the appearance of an inquiry; for Elizabeth was then permitted to walk round the Tower. She was then consigned to the custody of Sir F. Williams, a gentleman of the same lineage with the Cromwells; who, though created a baron only a month before, treated the young princess with more mildness than pleased the court. She was, therefore, transferred to Woodstock, to the gaolership of Sir Henry Bedingfield, a man so much more anxious to gratify his employers than to act as became his station, that he ranks among the gaolers who have derived a lasting infamy from the fame of their prisoners. When he came with a hundred soldiers to conduct her to Woodstock, she said to him with her usual quickness and poignancy, "Is the scaffold of Lady Jane yet taken away?"\* Elizabeth, however, when she afterwards became queen, carried her anger no farther than to forbid him from visiting the court.

\* It is singular that Dr. Lingard (Life of Sir T. Pope, p. 74.) than should have laid more stress on a slight intimation in a note of Warton upon the narrative in his text.

She said to him, on the occasion of the prohibition, "God forgive you, and we do; and if we have any prisoner whom we would have hardly handled and straitly kept, then we will send for you."\*

Philip landed at Southampton attended by a magnificent train composed of Spanish grandees and Burgundian lords, followed by four thousand soldiers; which had been conveyed from Corunna by a fleet containing the choice of the armed vessels of the Netherlands, Spain, and England. The marriage was solemnized by Gardiner in his cathedral of Winchester. Philip was then in the twenty-ninth year of his age, and Mary in her thirty-eighth. The countenance and form of the prince were not void of symmetry, and were beginning to show marks of his firm and sagacious mind; but the stately reserve of his Spanish manners did not lessen the repugnance of the English to the marriage. "No English lord remained at court but Gardiner. When the King and Queen removed to Hampton Court the hall door was continually shut, so that no man might enter unless his errand were first known, which seemed strange to Englishmen." A proclamation enjoining all vagabonds and servants out of place to quit London in five days, bore marks of the like gloomy distrust. Soon the Queen or her sycophants began to countenance rumours of her pregnancy, very naturally believed by a lady in her circumstances. A parliament was holden at Westminster to complete the imperfect restoration of the Catholic religion which had been faintly sketched in the former year. This assembly was at its opening honoured by the unwonted or rather unexampled presence of two sovereigns, King Philip and Queen Mary; of whom the first, though in England only titular, had had the compliment paid him of making it treason to compass his death.† A bill

\* Holinshed, vol. iv. p. 56.

† 1 & 2 Philip and Mary, c. 10. s. 3.



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passed both Houses in four days "for the restitution in blood of the Lord Cardinal Pole;"\* an act in itself just, but hastened by alacrity in paying homage to the rising religion of the court. The lords were unanimous. Lord Paget and Sir William Cecil, afterwards distinguished by a policy more acceptable to Protestants, were among the most forward to bring on the reconciliation. For a time, however, it was difficult to reconcile the pious cardinal and the indignant Pontiff to the condition most essential to the peace of the papacy with England, that of security to the possessors of the abbey lands. At last, as an expedient for reconciling the minds of dishonest possessors to the indelible claims of the Church on her ancient property, powers were given by the Pope to the legate "to remove all trouble or danger which by canons or ecclesiastical decrees might touch the possession of such goods."† This form was adopted, and it seems to have been sufficient according to the doctrines of all reasonable Roman Catholics; since it left all questions which directly concerned property to the lay tribunals. It would, perhaps, have been impossible to frame a more comprehensive form of words which did not contain an express renunciation of the papal authority over civil causes; and thus be liable to be understood as an admission by the state, that such papal authority had previously subsisted, or interpreted as a confession by the Pope, that his predecessors had been guilty of flagrant usurpation. Practically speaking, it is evident that whoever could violate the obvious sense of this dispensation would not have been more bound by stronger words.

Cardinal Pole shortly arrived at Dover, armed with apparently full power to do all the acts necessary to reconcile the English nation to the Church of Rome.

\* Lords' Journ. 17th to 21st November.

† 1 & 2 Philip and Mary, c. 8. Stat. of the Realm.

At Gravesend he was presented by the earl of Shrewsbury and the bishop of Durham with the act reversing his attainder. A royal barge was sent to convey him; and, as it was desired that he should display the ensigns of his legatine powers, a silver cross was placed on the prow of the barge. After a joyful reception at court, he withdrew to the palace of Lambeth; which, being now vacant by Cranmer's attainder, was magnificently furnished for the purposes of accommodation and state. He went early to the House of Peers, and, having been introduced by Gardiner the chancellor, addressed both Houses in a speech, in which he said, "that having for many years been excluded, not only from that assembly, but also from his country, by laws enacted personally against himself, he should ever be grateful for the repeal of those laws; and that in return he was come to inscribe them denizens of heaven, and to restore them to that christian greatness which they had forfeited by renouncing their fealty. That to reap so great a blessing it only remained that they should repeal the laws which they had enacted against the holy see, and by which they had cut themselves off from the body of the faithful."

The day following the formal reconciliation to the Catholic Church of the only great monarchy which had separated from her communion was solemnised with that dignity and splendour which became the most momentous transaction which had for several ages occurred in Christendom. The Queen and the King being placed in regal state in the great hall of the palace, the legate, who was a prince of the blood as well as of the Church, took his seat beside them at some distance. A humble supplication of the Lords spiritual and temporal, and Commons, in parliament assembled, on behalf of the whole realm, was then presented to their Majesties, beseeching those royal persons, unpolluted themselves by heresy, to make intercession

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with the Lord Cardinal, the Legate of the Apostolic See, for their re-admission within the sacred pale of the Church; and for an absolution from the consequences of their offences, on condition of their proving themselves to be true penitents by the repeal of all the laws against the Catholic religion and the Holy See, passed in the season of their delusion. The intercession having been made by Philip and Mary, the legate then pronounced an absolution of the Parliament and the whole realm from all heresy and schism, and from all judgments and pains for that cause incurred. Many of the persons present burst into tears of joy at this most happy of all human events. The news spread over Europe with gladness and speed. The Pope celebrated the second conversion of England to Christianity by a solemn procession, and ratified all the acts of his faithful legate. The King, Queen, and legate, together with both Houses of Parliament, chaunted *Te Deum* in the chapel of the palace. The agitation of Mary was so great, that she imagined some internal disturbance to be the first movement of an unborn infant. So entire was the belief yielded to this female fancy, that the Parliament besought the King to undertake the guardianship of the child thus announced at an auspicious moment. The Privy Council had on the day before enjoined Bonner to direct the *Te Deum* to be sung throughout his diocese "for the good hope of certain succession to the crown." Weston, dean of Westminster, framed a form of prayer for the safe delivery of Mary. Another prayer contained these petitions: "Give therefore unto thy servants Philip and Mary a male issue which may sit in the seat of thy kingdom. Give unto our Queen a little infant, in fashion and body comely and beautiful, in pregnant wit notable and excellent."

It was not long before the hopes so fondly nursed were utterly dispelled. The Queen, soured by early injustice,



derived little consolation from an austere and morose husband, who was as capable, indeed, of faithful attachment, as he was inflexible in his odious qualities, but who placed dignity in coldness, and was not likely to be taught by Mary to feel emotions so foreign to his character as those of tender affection. It is probable that he saved the life of Elizabeth; not from pity, for of that infirmity he would have been ashamed, but from the influence of one of those under currents in human affairs which often counteract a general course of policy. With all his zeal and ambition, one of his prevailing dispositions was jealousy, and fear of his formidable neighbour and rival the king of France. As soon as he despaired of issue by Mary, he perceived that all consistent Catholics would consider the hereditary right to the crown of England as devolving on Mary Stuart, queen of Scots, the niece of Henry the Eighth by his eldest sister Margaret.

England and France had struggled for the disposal of the hand of this beautiful child. The ancient connection with France, and long jealousy on the part of the Scotch, of the designs of the nearer neighbour, together with the blind and passionate measures of the English government, threw the prize into the hands of the French monarch. Her marriage to the Dauphin had been hastened by a grasping policy, before the natural age of such connections. To prevent England from falling under their power, it became an object of Philip's policy to preserve Elizabeth, who, by the will of Henry, and in the opinion of her Protestant subjects, had a preferable title to that of the Dauphiness. To have a hostage in his hands, with pretensions so specious, was on all suppositions an object of the utmost importance to him. Whether he destined her for the duke of Savoy or the king of Sweden, or already contemplated the possibility of espousing her himself, it was equally necessary to his design that he should put on the garb of clemency.

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Elizabeth had meanwhile been living in continual expectation of death. Bedingfield was disgusted at the indulgence shown to her by Williams. He forbade her to amuse herself by so much as looking at a game of chess. The access of her attendants was on one occasion prohibited; and she even suspected that orders had been given to put her privately to death. Traces of her residence were discoverable at Woodstock in very recent times.\* A New Testament is still preserved, which bears the initials of Elizabeth the captive, in her own beautiful handwriting. She wrote the following words on it, with a mixed allusion to her religious consolations and solitary walks, which, though quaint, are yet touching:—"I walk many times into the pleasant fields of Holy Scriptures, where I pluck up goodly sentences by pruning, eat them by reading, chew them by musing, and lay them up at length in the high seat of memory; that having tasted their sweetness, I may the less perceive the bitterness of this miserable life."† One of Elizabeth's visits to her sister at Hampton Court displayed the subtle devices of a Spanish politician of that age. Being conducted at midnight, by torchlight, to the Queen's apartment, she fell on her knees, pouring forth professions of loyalty. But Philip all the while was concealed behind the tapestry; in order that he might seem, if necessary, the protector of the princess from the passionate temper of her sister. She was sent to Hatfield, a royal palace, under the mild guardianship of Sir Thomas Pope, a Catholic gentleman, who did as much as he could to mitigate her imprisonment; although the stress laid by historical writers on some instances of common civility manifests their sense of the rigour of his instructions.

\* Warton's *Life of Sir Thomas Pope*, p. 71. To the singularly bad taste of Lord Treasurer Godolphin, who complained to the Duchess of Marlborough that a pile of ruins in

front of her palace was an unseemly object, we owe the destruction of "Queen Elizabeth's chamber."

† Warton, p. 73.

The situation of Elizabeth must have been embittered by the sufferings of all those who were attached to her, or whom she had been accustomed to respect. An act was passed by the parliament, for the revival of the statutes against heretics, and especially against Lollards. The most important of these persecuting statutes was that of Henry the Fourth\*, which seems alone to have prescribed a regular mode of inflicting capital punishment on heretics. When the diocesan had pronounced that the heretic should be left to the secular arm, the sheriff or other local magistrate was required "to receive the heretics, and then, on a high place, before the people, to cause them to be burnt." On this statute was founded the ancient writ "on burning a heretic," which appears to have been the only legal warrant for execution by the lay magistrate. The Act of the Six Articles had virtually abrogated the ancient statute against Lollardy, by denouncing inferior punishments against the greater part of such offences. With the statute was now revived the process for its execution. Before this revival it does not appear that there had been any system of jurisdiction or mode of procedure for the trial of heresy; though in the case of Anabaptists and Anti-Trinitarians, who were considered as offenders against the essentials of Christianity, the ancient law had been followed as if it had been still in force. The Roman Church was regarded as having preserved the fundamental articles of the Christian faith, though encumbered and obscured by corruptions. No Catholic had been treated as a heretic in the reign of Edward. It has been said that "the Reformation of Laws," composed in the latter part of that prince's reign, indicates preparations for severity against the adherents of the old religion. This statement is chiefly grounded on a text of that projected code, which directs that contumacious and incorrigible heretics, after all other means had

\* 2 Hen. 4. c. 15. *de heretico comburendo.*



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been exhausted, should be at length delivered to the civil magistrate to be punished. It is assumed that the punishment must be death. Yet in the very first article of the code, which relates to atheists and unbelievers, death is denounced against them in express words. The admission of it into another article, by mere implication, is therefore unreasonable. It is too terrible an enactment to be admitted without express words. If punishment is held to be synonymous with capital punishment, by force of this clause death must be applied to all heresies. If it was intended to confer on the civil magistrate a large discretion in the infliction of inferior penalties, the article is perfectly agreeable to the practice of the framers, and the opinions of the times. It is incredible that capital punishment could have been denounced against the whole of a long series of heresies, of which the catalogue nearly occupies twenty quarto pages, besides what is called a monstrous heap of other errors less necessary to be specified. And even admitting this unreasonable construction of the plan for a reformed code, it affects only the reputation of the projectors. It never was adopted by public authority. There is no reason to doubt that the Protestant parliament would have altered, when laid before them, articles which could be supposed to establish or countenance a practice perfectly at variance with that of the King and parliament. To hold that a few words in a Latin manuscript, of projected, but not adopted laws, not printed till many years afterwards, could have been the incentive of those who kindled the fires of Smithfield under Mary, is one of the most untenable of all positions. Truth and justice require it to be positively pronounced, that Gardiner and Bonner cannot plead the example of Cranmer and Latimer for the bloody persecution which involved in its course the destruction of the Protestant prelates. The Anti-Trinitarian and the Anabaptist, if they had regained power, might indeed have urged such a mitigation,

but the Catholic had not even the odious excuse of retaliation.

The new year opened under the saddest and darkest auguries for the devoted Protestants. A solemn embassy was sent to Rome to lay at the feet of His Holiness the 'penitential homage of his erring children in England. The bishops went to Lambeth to receive Cardinal Pole's blessing. He advised them to treat their flocks with gentleness. Bonner, with eight bishops, and a hundred and sixty priests, made a procession throughout London, to return thanks to heaven for the recovery of the kingdom. In the midst of these joyful thanksgivings effectual preparation was made for scenes of another kind. As soon as the solemnities of reconciliation had been completed, at the earliest moment that the nation could be regarded as once more a member of the Catholic church, a sanguinary persecution began of the prelates, ministers, and members of the Reformed communion. A commission, at the head of which was Gardiner, sat in the church of St. Mary Overies, in Southwark. The great abilities, commanding character, and the station which he had now been chosen to fill, of the latter, do not allow us to doubt that he, at least in the beginning, was the main author of these bloody counsels. Perhaps, however, he did not mean that the persecution should extend beyond the eminent ecclesiastics whom he called the ringleaders of rebellion. This is at least agreeable to the maxim said to have been uttered by him against mercy to the Princess Elizabeth; which, if he ever used it, must have been when the Imperial ambassadors urged a similar advice, "that it was vain to cut away the leaves and branches, if the root and trunk of rebellion were spared." \*

Hooper, bishop of Gloucester, an ardent, austere, and scrupulous Protestant, inclining to the opinions after-

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\* Fuller, book viii. sect. 2.

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wards called puritanical, and Rogers, a clergyman of Essex, were the first martyrs in this persecution. Rogers, on his examination, said to Gardiner, "Did you not pray against the Pope for twenty years?" "I was forced by cruelty," answered Gardiner. "Will you," replied Rogers, "use cruelty to others?"\* After his condemnation, he besought his judges to grant him an interview with his wife, a helpless foreign woman, who had borne him ten children. So much had the sophistries of a canonist silenced the feelings of nature in the breast of Gardiner, that he had the brutality to aggravate his refusal at such a moment by saying, "She is not your wife." On his way to Smithfield, Rogers met her and his children, one of whom she was suckling. He was unshaken by this sad scene, and breathed his last triumphantly in the midst of suffocating flames.† Hooper was sent to die in his episcopal city. He, too, was vainly tempted by a pardon held out at the edge of the pyre which was about to be kindled to consume him. The green wood burnt dully. He called upon the people to bring more fire, for the flames burnt his limbs without reaching his vitals. He was three quarters of an hour in dying. One of his hands dropped off before his death. But he died with feelings of triumphant piety.

To pursue the particulars of these cruelties more minutely is beside the purpose of such an undertaking

\* I quote with pleasure from the work of a tolerant and liberal Roman Catholic, my learned and venerable friend Mr. Butler. *Hist. Account of English Catholics*, vol. i. p. 133.

† "The married clergy were observed to suffer with most alacrity. They were bearing testimony to the validity and sanctity of their marriage; the honour of their wives and children were at stake; the desire of leaving them an unsullied name, and

a virtuous example, combined with a sense of religious duty; and thus the heart derived strength from the very ties which in other circumstances might have weakened it." These are the just and beautiful reflections of a fine writer, who should have transplanted into his writings more of the benevolence of his nature and of his life.—*Southey, Book of the Church*, vol. ii. p. 151.



as the present. They excited general horror, aggravated, doubtless, by the consideration that they were not acts of retaliation for like cruelties suffered by Catholics. Gardiner, disappointed by so firm a resistance, withdrew from a share in vain bloodshed. Even Philip was compelled to cause one of the most celebrated of his divines to preach against these odious proceedings.\* Many of the Catholic prelates are recorded by Protestant writers to have exercised effectual and perhaps hazardous humanity. Tunstall, bishop of Durham, appears to have sometimes spoken to the accused with a violence foreign from the general tenor of his life. It has been suggested that, according to a practice of which there are remarkable instances in other seasons of tyranny and terror, he submitted to wear the disguise of cruelty, in order that he might be better able to screen more victims. The task of continuing the system of bloodshed devolved on Bonner, bishop of London, a man who seems to have been of so detestable a nature, that if there had been no persecution he must have sought other means of venting his cruelty. Petitions against the government proceedings were transmitted to the Queen from the Protestant exiles who took refuge abroad, and who too transiently and scantily imbibed somewhat of the spirit of religious liberty in the severe school of beggary and banishment.

While the humanity of the people was thus being roused against cruelty, the alarm of the nobility for their share in the plunder of the Church was excited by causes of a very different and more ignoble nature.

\* Burnet, book ii. A.D. 1555. Carranza, afterwards the celebrated and unfortunate archbishop of Toledo, was one of the preachers who accompanied Philip. He attended the emperor in his last moments. But though eighteen years a prisoner in Spain and at Rome, he seems

to have been a zealous Catholic. Llorente, *Histoire de l'Inquisition de l'Espagne*, vol. iii. pp. 183. 304. He boasts, in his dying confession, of having caused the bones of heretics to be dug from their graves in England. Yet he might have preached a sincerely tolerant sermon.

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The Pope, who had received the English ambassadors with all fit splendour, thought it necessary to expostulate with them in private on the detention of the goods of the Church, of which it was necessary to restore the uttermost farthing; because the things that belong to God never can be applied to human uses. It is not difficult to understand the expedients by which the refined sophists of Rome might reconcile this private language of the Pope with his public acts. "True," it might be said, "His Holiness has remitted all ecclesiastical censures, and dispensed with all ecclesiastical prohibitions respecting the property of the Church in England; but he cannot wash out the indelible turpitude of rapine, nor profane the things set apart for the worship of God. From the penalties of the canon law he has released the holders of Church lands, but he cannot release them from being answerable to God for a breach of the eternal and immutable laws of justice." Whoever, indeed, is thoroughly imbued with the important distinction between an immoral and an illegal act, will own that this dangerously applied reasoning is not in itself altogether void of some colour. The Queen was not slow in listening to the counsels of the Supreme Pastor. She restored that portion of the confiscated property which still remained in the hands of the crown. But the pious princess, if we may believe Pallavicino, "deemed it advantageous to use condescension to private individuals who held the greater part of the confiscations, lest she might enrol the numerous usurpers of abbey lands under the standard of an ill suppressed heresy." \*

The humble condition of most of the sufferers has sometimes been mentioned as extenuating the merit of their martyrdom. It may assuredly be represented with more reason as an instance of the power of conscience to elevate the lowest of human beings above themselves; and as a proof of the cold-blooded cruelty

\* Pallavicino, *Storia del Concilio Tredentino*, lib. xiii. chap. 13.

of the persecutors, who, in order to spread terror through every class, laboriously sought out victims from the darkest corners of society.

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Among the leaders of the Reformed Church, Ridley, the most moderate, and Latimer, the simplest and frankest of Protestant prelates, perished in the flames at Oxford. It is needless to add that their death was worthy of their cause; for all the martyrs deported themselves fearlessly, and often joyfully. Among the expedients employed to annoy them, one was that of pretended conferences on the disputed doctrines, in which the audience was so carefully selected that they always gave the honours and applauses of victory to the prevailing faction. These conferences were a series of insolent triumphs. On one of them being proposed by Bonner to Philpot, a noted divine among the Protestants, he answered well, by quoting the words of Ambrose, archbishop of Milan, to the emperor Valentinian: "Take away the law, and I will reason with you;" an answer to which, though perfectly conclusive, few but the weaker party appeal.

Every reader of this part of history will desire some information respecting the fate of Cranmer, the first patriarch of the Protestant Church of England; a man who, with all his infirmity, would have been blameless in an age so calm as to require no other virtues than goodness and benignity. He had been committed to the Tower for treason soon after the Queen's accession. The month following he was convicted of high treason for his share in the Lady Jane's proclamation. Next year, however, he obtained a pardon; the government purposing to convict him of heresy, which from them he considered as no reproach, though he had earnestly solicited a pardon for a breach of allegiance. The Tower was at the time so crowded, that Cranmer, Ridley, Latimer, and Bradford were thrust into one chamber. The succeeding year, Cranmer, Ridley, and



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“old father Latimer,” were removed from the Tower to Oxford, for the purpose of a disputation. The demeanour of Cranmer was acknowledged by his opponents to be grave and modest. Latimer declared that, by reason of his old age, his infirmities, and the weakness of his memory, he could not bear a debate. Weston, the prolocutor, the enemy of Cranmer, commended his modesty and gentleness, as well as his learning and skill as a disputant. He was permitted to survive his colleagues many months. A new commission was obtained from Rome, in order that rigorous adherence to the forms of law might be perfectly evident in the case of this eminent primate. Unhappily for his reputation, he made some of those repeated applications to soften Mary, by which he had before escaped out of extraordinary peril. It is true that in his letters to her he reasoned and expostulated with her upon her own administration; but his enemies saw his infirmity through the disguise of apparent boldness and liberty. He was entertained, if we may entirely trust Protestant writers, by the Catholic dean of Christchurch, by whom he was treated with much courtesy and hospitality, while his hopes and fears were practised on by men of whom some might have really wished to save his life. In an evil hour he signed his recantation. It has been plausibly conjectured by Burnet, that the writ for putting him to death was sent down to Oxford early in the long period between the date and the execution, to be shown him in order to work more effectually on the fears incident to age. Whether Cranmer could have been persuaded to adhere to this disgraceful act for the miserable sake of a few years of decrepitude, is a question which the unrelenting temper of Mary renders it impossible for us to answer. He was, without warning, though not without expectation, brought forth to be burnt in front of Baliol College, after a sermon preached in St. Mary’s before the university, by Cole,

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provost of Eton. After the sermon, the demeanour of the archbishop cannot be so well described as it is in the letter of an eye-witness, a humane Catholic, who condemned the errors of Cranmer, but was touched by his gentle virtues and could pity his infirmities.\* “I shall not need to describe his behaviour for the time of the sermon; his sorrowful countenance, his face bedewed with tears, sometimes lifting his eyes to heaven in hope, sometimes casting them down to earth for shame; an image of sorrow, but retaining ever a quiet and grave behaviour, which so increased the pity in men’s hearts that they unfeignedly loved him; hoping that it had been his repentance for his transgressions and errors.” But Cranmer, in his address to the spectators, undeceived them concerning the cause of his contrition. “Now,” said he, “I am come to the great thing that troubleth my conscience more than any other thing that I ever said or did in my life, and that is the setting abroad of writings contrary to the truth; which here now I renounce and refuse as things written with my hand, contrary to the truth which I thought in my heart, and writ for fear of death and to save my life if might be, and that is all such papers as I have written or signed since my degradation, wherein I have written many things untrue. And forasmuch as my hand offended in writing contrary to my heart, my hand when I come to the fire shall first be burned.” He added some terms of needless insult against the Pope, which he perhaps thought necessary as a pledge of his sincerity; whereupon, “admonished of his recantations and dissembling, he said, ‘Alas! my lord†, I

\* Strype, Cranmer, vol. i. p. 544.

† Probably Lord Williams of Thane. The Privy Council wrote circular letters to the nobility and gentry, desiring their attendance at the burnings, with that of all those whom they could influence. They even thanked those gentlemen for

compliance, and addressed letters of thanks to those of the gentry of Essex, who, though not written to, had (in the words of the Privy Council), “honestly and of themselves gone thither;” that is, “to the burnings at Colchester.”—Book of the Privy Council sub anno.

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have all my life loved plainness, and never dissembled till now against the truth, which I am most sorry for;’ and here he was suffered to speak no more.” “Then he was carried away. Coming to the stake with a cheerful countenance and willing mind, he put off his garments with haste and stood upright in his shirt. He declared that he repented his recantation right sore; whereupon the Lord Williams cried ‘Make short, make short!’\* Fire being now put to him, he stretched out his right hand and thrust it into the flame, and held it there a good space before the fire came to any other part of his body, where his hand was seen of every man sensibly burning, crying with a loud voice, ‘This hand hath offended.’” — “His patience in the torment, his courage in dying, if it had been for the glory of God, the weal of his country, or the testimony of truth, as it was for a pernicious error, I could worthily have commended the example, and marked it with the fame of any father of ancient time. His death much grieved every man: his friends for love, his enemies for pity; strangers for a common kind of humanity, whereby we are bound one to another.” To add any thing to this equally authentic and picturesque narration from the hand of a generous enemy, which is one of the most beautiful specimens of ancient English, would be an unskilful act of presumption. The language of Cranmer speaks his sincerity, and demonstrates that the love of truth still prevailed in his inmost heart. It gushed forth at the sight of death, full of healing power; engendering a purifying and ennobling penitence, and restoring the mind to its own esteem after a departure from the strict path of sincerity. Courage survived a public avowal of dishonour, the hardest test to which that virtue can be exposed; and if he once

\* It is not unworthy of remark, that Lord Williams was considered as the mildest of the Princess Eliza-

beth’s jailors. Of what stuff must the sterner have been made?



fatally failed in fortitude, he in his last moments atoned for his failure by a magnanimity equal to his transgression. Let those who require unbending virtue in tempestuous times condemn the amiable and faulty primate. Others, who are not so certain of their own steadiness, will consider the fate of Cranmer as perhaps the most memorable example in history, of a soul, which, though debased, was not depraved by an act of weakness, and preserved a heroic courage after the forfeiture of honour, its natural spur, and, in general, its inseparable companion.

The firm endurance of sufferings by the martyrs of conscience, if rightly contemplated, is the most consolatory spectacle in the clouded life of man; far more ennobling and sublime than the outward victories of virtue, which must be partly won by weapons not her own, and are often the lot of her foulest foes. Magnanimity in enduring pain for the sake of conscience is not, indeed, an unerring mark of rectitude; but it is, of all other destinies, that which most exalts the sect or party whom it visits, and bestows on their story an undying command over the hearts of their fellow men.

It is painful to relate that Pole was installed in the archiepiscopal throne of Canterbury on the day after. There seems to be no doubt that his temper disinclined him to severity, if his convictions did not allow him to regard toleration as a duty. "He never," says Burnet\*, "set on the clergy to persecute heretics, but to reform themselves." Yet, "even in Canterbury, he left the Protestants to the cruelties of the fiercer clergy, and thought he did enough when he discouraged persecution in private." In a word, he did not do evil, but he did not withstand it. His accomplishments were far more splendid than those of Cranmer; but, in a good heart not enough seconded by a brave spirit, these adverse prelates resembled each other not a little. The Car-

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\* Burnet, Reform. vol. ii. part 1.

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dinal's own and his family's sufferings from the tyrant whom they regarded as the representative of the Protestant religion are, doubtless, no inconsiderable alleviation of his acquiescence in cruelties which were alien from his disposition. His suffragan bishop of Dover, and the archdeacon of Canterbury, appear to have been among the most active persecutors.

Of fourteen bishoprics, the Catholic prelates used their influence so successfully as to prevent bloodshed in nine, and to reduce it within limits in five. Justice to Gardiner requires it to be mentioned that his diocese was of the intact class. Thirlby, bishop of Ely, who wept plentifully when he was employed in degrading Cranmer, perhaps thought himself obliged to cause one man to be burned at Cambridge as an earnest of his own zeal. "Bonner," says Fuller, "whom all generations shall call bloody," raged so furiously in the diocese of London, as to be charged with burning one half of the martyrs in the kingdom. Truth, however, exacts the observation, that the number brought to the capital for example on as public a scene as possible swells the apparent account of Bonner beyond even his desert. Christopherson, bishop of Chichester, who, in his youth, had translated the account of the persecutions of the Christians by Eusebius, practised the like cruelties in his unfortunate diocese with the hardness and bitterness of an old polemic.

The total number of those who suffered in this persecution, from the martyrdom of Rogers, in February 1555, to September 1558, when its last ravages were felt, is variously given. The accounts are sufficiently different to assure us that the relaters were independent witnesses, who did not borrow from each other, and yet sufficiently near to attest the general accuracy of their statements. By Cooper they are estimated at about two hundred and ninety; by Burnet at two hundred and eighty-four; by Speed at two hundred and seventy-four.

The most accurate account is probably that of Lord Burleigh, who, in his treatise called "The Execution of Justice in England," reckons the number of those who died in that reign by imprisonment, torments, famine, and fire, to have been near four hundred; of whom those who were burnt amounted to two hundred and ninety. From Burnet's tables of the separate years, it is apparent that the persecution reached its greatest height in the first year. In ten months of 1555, there were seventy-two persons burnt; and the number of thirty-nine in seven months of 1558, proves that it had retained its vigour to the last. The delay in its commencement is imputable to no cause but the impossibility of adopting it till the formalities of the national reconciliation with Rome had been completed. There is no reason to suppose, that if Mary had continued to live and to reign, the persecution would have slackened. The stories in Fox's "Martyrology" are not, indeed, to be indiscriminately believed. That honest but zealous and credulous writer would himself have rejected the commendation of impartiality. But Lord Burleigh, who, if wrong, has not the same excuse with Fox, positively affirms that more than threescore women and more than forty children were burnt; that among the women "some were great with child, out of whose bodies the child by fire was expelled alive, and yet also cruelly burnt." To determine the probability of these "examples of more than heathen cruelties," it is proper to observe that they would be incredible if considered as part of a deliberate scheme of persecution. In such dreadful confusion violent acts spring up, which the parties themselves do not deliberately purpose. The wicked took an active part, to satiate their malice: the weak, sometimes perhaps, to silence their remorse: the base, very often to recommend themselves by forward zeal, to patrons who would in general have disowned them. Originally composed of the most ignorant and



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worst men of a country, the habitual attendants on such occasions became in process of time more and more hardened, until wanton and gratuitous cruelty, the most hellish of all the inducements to human action, might stimulate a few miscreants to deeds which men who live in better times are unable to comprehend, and all good men are loth to believe. A country in such circumstances may exhibit some of those unutterable horrors which are perpetrated in great cities taken by storm.

To complete the estimate of the horrible consequences of the persecution, the number of fugitives who sought an asylum from it abroad ought not to be overlooked. The free cities of Frankfort and Geneva, with the Protestant cantons of Switzerland, opened their gates to the English exiles. Calvin and Beza at Geneva received them with open arms. Many of them imbibed a preference for the simple worship and republican equality of the Calvinistic churches, which became visible after their return, and was in the next century to generate controversies shaking the kingdom to its deepest foundations. In this exile, John Knox learned the rudiments of that ecclesiastical polity which kindled the spirit of civil liberty in Scotland. The Protestants, whom absolutism and religious intolerance had thus forced to emigrate, returned prepared for the overthrow of those principles. These, afterwards called "Puritans," came at length to estimate their approach to truth by their remoteness from the Romish Church, and to consider usages in themselves innocent, or even useful, as almost criminal if they bore any likeness to the ancient ritual. No sooner had these exiles obtained an asylum at Embden, Wesel, Arau, Strasburg, Zurich, and Frankfort, than they began to differ from each other with tempers embittered by misfortune. Among other subjects of difference was the resolution of the church

at Frankfort to exclude the responses of the congregation in public prayers, and to reject as superfluous and superstitious the litany, surplice, and other parts of the ceremonial of worship sanctioned by the practice of antiquity. Who could have foreseen that such controversies would subvert thrones, deluging kingdoms with blood? Calvin himself recommended a conformity to the English liturgy for which martyrs were now spilling their blood, until its compliances with superstition could be reformed by competent authority. Cox, the tutor of Edward the Sixth, was confident in his learning, and attached to every part of the Reformation in which he had a share. The unconquered soul of Knox disdained submission to human authority, regarding every usage of the Church of Rome as polluted by her adoption. Misfortune disturbs the judgment as much as prosperity; or, as a quaint but very significant writer expresses it, "Man in misery as well as man in honour hath no understanding."\* The attempts of the magistrates of Frankfort and of the clergy of Geneva to compose the discords of the exiles, although in the presence of a common and cruel enemy, were utterly unavailing. The ceremonial of worship, though in the eye of religion as well as of reason of secondary importance, is better adapted than doctrines to be the visible symbols of a party. The "Greens" and "Blues" of Constantinople, the "Blacks" and "Whites" of Florence, the "White" and "Red Roses" of England of the olden time, the "Orange" and "Blue" parties of more recent times, were differences legible to the most ignorant eyes. The colours often serve to assemble the adherents of each party after they have altered, nay exchanged, their original opinions. But in the case before us, though what struck the eye of the bystander might seem frivolous, yet principles of high

\* Fuller.

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importance lurked under this surface. When the minds of men are full of the reforming spirit, and predisposed to the distempers which are engendered by such fulness, a little matter sometimes occasions rather than causes dangerous symptoms to appear. The same quaint, but interesting writer, who has been already quoted, appeals, in his account of these divisions, to an adage of Solomon, which, however homely in expression, is of remarkable wisdom: "The wringing of the nose bringeth forth blood; so the forcing of wrath bringeth strife." \*

The pretensions of the English Church to an authority over conscience in the form of prayer, seemed to the Puritans to be a remnant of Papal despotism. It was apparently the surplice and the litany to which they objected. It was partly so too in reality; inasmuch as the usages and devotions employed by the English Church appeared, to the more zealous among them, badges of opinions which they abhorred. But another principle was working at the bottom, of which they were themselves unconscious, namely that of hostility to the imposition of these ceremonies by human authority.

John Fox, the martyrologist, was one of the stricter sect. His reputation for learning and honesty, however, made him tutor in the first Catholic family in England. He was concealed by the duke of Norfolk from a severe search made for him by Gardiner. His account of the sufferings of his fellow religionists under Mary was, perhaps, the most effectual of all dissuasives from reconciliation with Rome. He abhorred falsehood, but he was often deceived. When called before Archbishop Parker to subscribe a declaration that he approved the ecclesiastical vestments, he took a small Greek Testament out of his pocket, and said, "To this I will subscribe!" Through the friendship of the

\* Proverbs, chapter xxx.



bishops, however, who were mostly his fellow-exiles, he retained a prebend of Salisbury till his death. Elizabeth called him constantly her "father Fox;" but she unhappily rejected his eloquent supplication for sparing the lives of Flemish Anabaptists, for which he ought to be held in everlasting honour. He was probably among the first Protestants who combined a zeal so ardent with so wide a toleration.

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It is consolatory to learn that the pious exiles were liberally relieved by their countrymen. Sir John Clerke, Sir Richard Morison of Cashiobury, Sir Francis Knollys, Sir Anthony Cook, the father of the Ladies Burleigh and Bacon, celebrated for their learning, together with dame Dorothy Stafford, and dame Elizabeth Berkeley, were among their most conspicuous benefactors. "Although great the distance between London and Zurich, merchants," says Fuller, "have long arms, and by their bills of exchange reach all the world over." The king of Denmark, the elector-palatine, the dukes of Wirtemberg and Deux-Ponts, with all the Protestant free cities, stretched forth their arms for the relief of the sufferers for conscience sake. Even the divines of Germany and Switzerland learned, on this occasion, a generous frugality, which enabled them to extract from their own modest stipends the means of giving alms to their brethren. Of the latter, some earned their bread by writing books, others by correcting the press.

The English Reformers, both at home and abroad, saw in the Netherlands a country nearly connected with England, and under a sovereign not otherwise of a cruel nature, persecution carried on, from which they were led to consider their own sufferings as only a foretaste of what might yet be inflicted on them.\*

\* Father Paul assures us, that from the first edict of Charles to the treaty of Cateau-Cambresis, in 1558, fifty thousand men had been hanged, beheaded, burned, or buried alive for their religion; and Grotius, who computes the number to have been double, may be easily reconciled with the Italian historian, if we bear in mind that the admirable annalist

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The history of this persecution is the history of Mary's reign. The foreign affairs of her last two years, however, require to be summarily told. Her scanty attractions and importunate fondness were not likely to prevail over his reserved and haughty disposition. When it became apparent that the prospect of children was visionary, he hastened to quit England; disregarding ever afterwards the affairs of a turbulent people, on whom he had no hold but the slight thread of life of a hypochondriacal woman. The only remaining inducement to interfere in English business was the hope of deriving from the passion of his enamoured wife present supply and support in his war against France.

Philip, meanwhile, succeeded to the greatest monarchy of the world, not by the death, but by the voluntary abdication of his father. Charles the Fifth, depressed and enfeebled by disease, weary of the vulgar irritation of business, and seeking for that repose which every man fancies that he will taste in retirement, having determined on the abdication of his vast dominions, and on hiding himself in the seclusion of a Spanish monastery, solemnly resigned the sovereignty of the Belgic provinces to his son Philip, in the capital city of Brussels.

At this magnificent though mournful ceremony, the emperor, weeping, leant on the shoulder of William of Nassau, Prince of Orange, the chief of one of the most illustrious houses in Europe, who had been trained from

of Holland comprehended the period of thirty years later. Two days before the death of Charles, he added a codicil to his will, in which he exhorts his son to inflict signal and severe punishment on heretics, "without exception," says he, "of any criminal, and without regard to the prayers or to the rank of the

person." "It is dangerous to dispute with heretics. I always refused to argue with them, and referred them to my theologians; alleging with truth my own ignorance; for I had scarcely begun to read a grammar when I was called to the government of great nations." —Llorente, vol. ii. p. 155.

childhood in his court, and almost in his chamber. In him the sagacious monarch already discerned the seeds of great qualities, though it was altogether beyond the foresight of man to conjecture the purposes to which they were afterwards to be gloriously applied. The monarchy also of Spain, Italy, and the Indies was abdicated soon after. All devolved on Philip, except the Imperial dignity, with Hungary and Bohemia, which fell to Ferdinand, king of the Romans, Charles's brother, whose descendants rule them to this day.

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As soon as the first cares of government allowed Philip leisure, he once more visited England, and had little difficulty in obtaining from Mary a declaration of war of England against France; in which the injuries urged were Henry's connection with Northumberland's usurpation, and support of Wyat's rebellion. Both these grievances were resented too late; and the war was not founded on any regard to the safety, the honour, or even the greatness, of England.

It was after the return of Philip to England that an ambassador from the Czar of Muscovy arrived at the court of London. The prince thus designated was Ivan Vassilowitch the Second, a barbarian of genius, who had reduced the powerful monarchies of Casan and Astracan to Russian provinces; and, by introducing the two contending powers of standing armies and printing-presses into his country, was preparing it for admission into the commonwealth of Christendom. The English mariners\*, whose daring skill swept every sea, had found their way to Archangel, on the Frozen Ocean, at that time the only seaport by which access could be opened to the vast dominions of Ivan. The commercial enterprise of England, even in that immature infancy, had raised the intercourse with these remote regions into such importance as to have produced this embassy. The ambassador was met at

\* See Appendix A.



CHAP. Tottenham by the merchants of London trading to  
 XII. these countries, riding in velvet coats and wearing  
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Even already might have been witnessed by Philip an instructive example of that regard to perfect equality in the administration of criminal justice, which an habitual share in its execution as jurors has probably contributed to root so deeply in the hearts of the English people. Charles, Lord Stourton, a nobleman of ancient lineage, had, with the help of four of his servants, committed a murder on two persons of the name of Hargill, with whom he was at variance. When the crime was discovered, petitions for pardon were conscientiously rejected by Mary. The peer was accordingly hanged at Salisbury, with a halter of silk, which he obtained as a badge of his nobility, but which, in effect, became a trophy of the victory of justice over dishonoured rank.

Soon after the declaration of war, an English levy, consisting of four thousand infantry, a thousand cavalry, and two thousand pioneers, joined the Spanish army on the frontiers of Flanders. They were commanded by the earl of Pembroke, and officered by the flower of the nobility of England; among whom we are somewhat surprised to find the names of Sir Peter Carew and Sir William Courtenay, as well as of Lord Robert and Lord Henry Dudley. It is not wonderful that some of the English exiles, indignant at their fellow-protestants fighting the battles of their deadly enemy, should have expostulated "with those that are called 'Gospellers,' and yet have armed themselves against the Gospellers to please Jezebel."\* Whoever gainsays the indignant reformer is assuredly transported by the excellent vir-

\* Strype's Mem., vol. iii. part ii. p. 604. Christopher Goodman, the author of this language, justly represents those "who maintained

wicked Jezebel in her tyranny at home, and her ungodly wars abroad, as aides and helpers of her tyranny."

tues of obedience and patriotism beyond their reasonable bounds. The combined army was commanded by Philibert, duke of Savoy, the most renowned captain of his age, whom the French king had robbed of his dominions. Gaspar Chatillon, better known as Admiral Coligni, threw himself into St. Quentin, which was speedily invested by the enemy; his uncle, the Constable de Montmorency, advancing at the head of a powerful force to raise the siege. These combinations led to the afterwards celebrated battle of St. Quentin. The constable advanced very near, to cover a detachment intended to be carried over a morass, or lake, which extended to the walls of the city. The difficulties in the way of the boats were so unexpectedly great, that the Spanish army attacked Montmorency while his troops were divided and exposed. The defeat was total. The greater part of the artillery was captured. The loss of the Spaniards was inconsiderable. Three thousand French were killed; among whom were the most illustrious of the nobles, and the most skilful of the veteran officers. The constable himself was made prisoner, with six thousand men.

In spite of the immense loss, and of the dismay, which is generally far more than proportioned to the other evils of discomfiture, Coligni, with his little garrison, maintained his ruined fortress after the defeat and dispersion of his countrymen. The earl of Pembroke with the English auxiliaries seem to have been active in the attack; perhaps because they had not been so much exhausted in the previous engagement. Henry Dudley was killed. Philip rewarded the English with the horrible monopoly of sacking the town. The "black Ritters," or mercenary cavalry of Germany, were jealous of this licence for every crime granted to a favoured nation. A bloody scuffle between the two bands of plunderers closed the scene.

In spite of this defeat the French monarch speedily

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collected a new army; which advanced, under the command of the celebrated duc de Guise, to avenge the discomfiture at St. Quentin, and to deprive the English of Calais, the only remaining fragment of the Plantagenet monarchy. This town was dear to the English, as the representative of their ancient renown in war. Gallant nations often value possessions more when they are the prize of valour, than when they produce mere vulgar advantage. The garrison of Calais amounted only to eight hundred men. They were aided by two hundred townsmen; and the whole population within the walls was four thousand two hundred. To reduce it had cost Edward the Third eleven months; and the English flag had now waved from its battlements for two hundred years and more. The duc de Guise, having surprised and mastered the outposts, made a feint of preparing for an assault, by a cannonade which destroyed part of the walls. He really contemplated the capture of the castle which commanded the town. Scarcely had he turned his artillery against the former, when it was evacuated by the garrison, who relied upon the efficacy of a stratagem. They had placed several barrels of gunpowder under the castle; connecting them with the place to which they were retiring by a train, to be fired as soon as the French should enter. But, if we may believe the chronicler, the French, who had waded through the ditch, were so wetted, that the moisture dropping from their clothes damped the gunpowder, probably that forming the train, and thus rendered the whole project abortive. Some defence was made, however\*; but on the sixth night of the siege, terms were offered by Lord Wentworth, the English governor. A capitulation was concluded next morning, by which the surrender of the town, with all its military instruments and stores, was stipulated. All the inhabitants were allowed to go where they listed, except the governor and fifty persons

\* Holinshed, vol. iv. p. 92.



to be named by the duc de Guise, who were to be enlarged only on payment of a ransom. Thus fell Calais, after a siege of eight days; and the dishonour of the English arms was the more signal, that the place was taken in winter, when the adjacent ground was covered with water. The surrender was ascribed by general rumour to treachery, the usual expedient by which the mortified pride of a nation seeks to escape from imagined degradation. No nation has less need of such suppositions than the English, yet none, perhaps, is more prone to them. It is apparent that the fall of Calais arose from the inadequacy of the garrison to its defence; which must have been the fault either of the government at home or of the earl of Pembroke, the commander of the army in France; if it was not occasioned by the over-ruling influence of Philip, intent on other objects. The town was cruelly pillaged. "Thus," says old Holinshed, "dealt the French with the English in recompence of the like usage to the French when the forces of King Philip prevailed at St. Quentin, where, not content with the honour of victory, the Englishmen sought nothing more than the satisfying of their greedy vein of covetousness."\* Lord Grey made an obstinate defence of the small fortress of Guines, but was compelled to surrender, with a loss of eight hundred men. From the small fortress of Ham, which was the only place unsubdued in the English pale, the garrison made their escape by night over a marsh.

The triumph of France and the sorrow of England were equally excessive; or, at least, equally disproportionate to their professed and immediate object. It must be owned, however, that a keen sense of the bitterness of defeat is one of the firmest safeguards of a nation. Henry visited Calais in triumph, and loaded the duc de Guise with honours which were well earned by that renowned captain.

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\* Holinshed, vol. iv. p. 92.

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The Emperor Charles the Fifth expired about this time, in retirement, in Estremadura. In England the persecution still raged. Mary, deserted by an ungrateful husband, perhaps overcome by misgivings on reviewing her fruitless barbarity, or at least occasionally haunted by those visitings of nature which never leave an undisturbed sway to the artificial power of dogmas, breathed her last in London, to the great relief of the larger portion of her subjects. She died of dropsy, of which the earlier attacks had most probably excited her illusive hopes of offspring. When on the point of death she said, "If you open me, you will find Calais written on my heart;" mistaking, probably, the subject on which her desponding thoughts were brooding for the cause of her malady, and thus ennobling, by the fiction of a mental, a distemper which had a mere bodily, origin.

Mary is a perfect and conspicuous example of the fatal effects of mistaken judgment in rulers; for to this alone the greater part of the misery caused by her must be ascribed. The stock was sour, and perhaps no culture could have engrafted tenderness and gentleness upon it. Mary adhered to her principles: she acted agreeably to conscience; but her principles were perverted and her conscience misguided by false notions of the power of sovereigns and of laws over religious opinions. A right judgment on this single question would have changed the whole character of her administration, and varied or perhaps altogether changed the impression made on posterity by the history of her reign.

The death of Mary was followed the day after by that of her relation, Cardinal Pole, a person far more amiable by nature; who, at the time of his decease, was, both by learning and virtue, regarded throughout Europe as the most distinguished ornament of the old Church. Messages had passed between them to the last moment; and when he was apprised of her departure,

he calmly prepared for his own. This dying friendship between the two remnants of a royal race, the stays of an ancient religion, has a natural power in raising the thoughts and touching the feelings.

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Unhappily, Pole acquiesced in systematic persecution. His opinions, indeed, appear to have been those of a good man, disposed to a merciful application of intolerant laws, rather than denying their justice, or refusing, in cases where all other remedies had failed, to carry them into execution. But it is probable that if he had been the sole master of Mary's councils, his lenient temper and Christian compassion would have almost stood instead of the principles of religious liberty.

The last act of Mary's reign was the despatch of ambassadors to Cambray, then a city of the Low Countries, to negotiate a general peace. This important negotiation was not closed till some time after. It was opened, however, under the influence of considerations which were beginning to outweigh those of local and temporary policy in the minds of Catholic princes. It was becoming evident to the great sovereigns of Europe that an alliance among them was necessary in order to reduce an armed heresy which was threatening, not only to overthrow the Church, but to level the thrones of kings. Experience had taught, in all ages, that these great principles stood or fell together. Two religions, it was then believed, were no more reconcilable in a state than two governments; and recent events had demonstrated that men could not be taught to throw off dependence on priests, without learning to examine the limits of the power of kings. There are many dispersed and indistinct traces of such reflections and projects having been the subject of discussion at the first meeting of the Council of Trent. To forward a general union against heresy seems to have been avowed by Cardinal Pole as one of the motives for the zeal with which he promoted peace between France and Spain.



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These projects ripened in the spring of this year, at the private conferences of Perrenot, bishop of Arras, better known under his subsequent name of Cardinal Granville, with the cardinal of Lorraine, at Peronne, in which the former minister strongly represented "the infatuation and dishonour of the continuance of hostilities between the two first crowns of Christendom, in which France and Spain turned against each other those arms which ought to be combined against the Turk, the common enemy of the Christian name; but if not against that odious but distant and not formidable adversary, then surely against those far more perilous foes, fostered in the bosom of the great monarchies themselves, the modern heretics, who, during the Anabaptist domination in Lower Germany, had furnished the most ample proofs of a cruelty which spared neither age nor sex, and of the tendency of their doctrines to destroy property, as well as to overthrow lawful authority in church and state." \* Peace and friendship between the two monarchs, with the concealment of these designs for the present from all Frenchmen (the Cardinal was a prince of Lorraine), were absolutely necessary to the probability of success in an enterprise so hazardous.

There is reason to believe that ten years before, at the first convocation of the Council of Trent, Perrenot had prepared the young prince for the favourable reception of these political doctrines. Some historians tell us that secret articles against the Protestants had been adopted at the meeting at Peronne. Certain it is, that Henry the Second was induced, by the plausibility of Perrenot's reasonings, and by their concurrence with the most approved policy of that age, to make peace with Spain, and to begin that persecution of his Protestant subjects which grew into a civil war of forty years' duration, attended with events so horrible as to be

\* Thuanus, *Historia*, lib. xx. c. 9. and lib. xxii. c. 10.

without parallel in the history of Europe. This alarming confederacy was accidentally disclosed to one of the principal persons interested in its discomfiture. William of Nassau, prince of Orange, had been, according to the usage of that period, sent to Paris at the head of the hostages for the observance of the treaty of Château-Cambresis. He was received with the honours due to an independent sovereign, and to his high descent. Henry treated him with unreserved freedom; as one who had lived in the chamber of the Emperor, and was privy to all the thoughts of that great monarch, and was now a sharer in the councils of the King his son. At one of the hunting parties of the court, Henry and the Prince being in the same carriage, the King spoke to William as to one who knew the secret understanding between the crowns. William spoke little, which his modesty and taciturnity enabled him to do without affectation. He thus concealed his ignorance, and yet avoided an express breach of truth. He suffered the French monarch gradually to betray the full extent of the designs of the royal allies. "I heard," says the Prince himself, "from the mouth of King Henry, that the duke of Alva had agreed with the French ministers on the means of exterminating all who were suspected of Protestantism in France, in the Netherlands, and throughout Christendom, by the universal establishment of an inquisition worse and more cruel than that of Spain. I confess that I was moved to pity by the thoughts of so many good men doomed to the slaughter, and I deliberately determined to do my utmost for the expulsion of the Spanish army, the instrument of these wicked designs, from a country to which I was bound by the most sacred ties." \* Henry had no suspicion that William secretly inclined to the cause of the Reformation, which had been openly embraced by some branches of his family; or that Philip

\* Apologie de Guill. Prince d'Orange, 13th Dec. 1580, in Dumont.

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The Roman court had generally betrayed the same disinclination to assemble general councils, as absolute monarchs have usually manifested to the convocation of representative assemblies. For the first twenty years after the dissent of Luther from the Church, the demands of the Emperor and the empire for the convocation of a General Council had been evaded by successive Popes on various pretexts. The history of this period is full of instruction upon the course of human affairs during changes in the opinions and institutions of mankind. These are seldom accomplished without terrible collisions of immense masses, attended by such ruin, rapine, and bloodshed, that good men too often recoil from any share in them; thus leaving them to the exclusive guidance of those whose most eminent quality is boldness, and who often make amends for the want of it, by servility towards every prevalent faction. In the writings of the period now under consideration, we see all the common-places, on the side whether of establishment or innovation, as ably presented and as thoroughly exhausted as in any age of the world. The forms and language are, indeed, peculiar to the time; but the substance is that struggle between the principles of preservation and improvement, on the right balance of which the quiet and well-being of society are suspended often by too slender a thread.

Of the various projects now proposed for the extinction of the heresies of the age, the first place seems due to the plan for extending to all Christendom that inquisition into heretical pravity which was then subsisting in full vigour only in Spain. This famous tribunal had originated in the commissioners for inquest into the crime of heresy, who had been appointed by successive Popes to aid bishops, or, in case of necessity, to act with them during the persecution of the Albigenses. The



Emperor Frederic the Second, about 1220, had added the sanction of the imperial authority (then deemed to have a certain influence among all European nations) to the decrees of the Council of Lateran, by an edict, in which he had commanded all incorrigible heretics to be punished with death. The formalities of an inquisition had spread over several countries, where it had preserved a languid existence for more than two centuries. But it was in the latter years of the fifteenth century that it had been established with terrific powers, and moved to sanguinary activity over the Spanish peninsula, of which every part, except Portugal, had been united under one sceptre by the marriage of Ferdinand and Isabella. It had been at first chiefly pointed against the Jews; who, though always plundered by the kings of Spain, and not seldom massacred by the populace, had, by their experience in commerce, and their knowledge of books and business, found their way, through intermarriage and feigned conversion, into the centre of the Spanish nobility. All the nonconforming Jews had been banished from the monarchy by an edict which had immediately followed the conquest of Grenada. The avowed Mahomedans of that country had been afterwards subjected to the same banishment, in spite of promises made to them when finally subjugated, under a pretext, copied by tyrants of after times, "that, it having pleased God that there were no longer any unbelievers in the kingdom of Grenada, their majesties were pleased to forbid, under pain of death, the entry of the Moors into that province, lest they might shake the faith of the new converts."\*

The power of the Inquisition, now more and more relieved from the restraints of an appeal to Rome, was exerted in every case where suspicions were entertained of the sincerity of the new Christians. Such was the unwearied cruelty of the tribunal in its youthful vigour, that Torquemada, the first Inquisitor-General, is be-

\* Llorente, vol. i. p. 335.

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lieved, in the eighteen years of his administration, to have committed to the flames more than ten thousand victims. To these were added more than ninety thousand persons condemned to the punishments which were called secondary; infamy, confiscation, perpetual imprisonment. Persons were apprehended on the slightest suspicion: they never heard the names of their accusers: the inquisitors communicated only such parts of the evidence to the accused as they thought fit; prisoners remained for years in dungeons, alone, ignorant of what was passing without, and in a state where no man dared to attempt to correspond with them, who was not willing to share their fate. Torture was applied in the presence of two inquisitors. Sentence was pronounced in secrecy, and executed at "the acts of faith," as they were called, where multitudes of impenitent heretics, clad in woollen garments, on which were painted monstrous forms of fiends, and hideous representations of hell-fire, walked in procession to the flames. These "acts of faith" were solemnised as a religious ceremonial, and with such splendour and magnificence as fitted them for exhibition at the coronation of a king or the nuptials of a young queen. When Philip the Second wedded the Princess Elizabeth of France, the inquisitors of Toledo, among other preparations for the welcome and becoming reception of a queen of thirteen years of age, exhibited an "act of faith," when Lutherans, Mahometans, Jews, and sorcerers were burnt alive in her presence, before the eyes of nobles and prelates, and of the assembled cortes of the kingdom. Forty-five persons, of whom many were distinguished men, had been burnt alive as Lutherans, the year before, in the presence of the King and a numerous assembly of Spaniards and foreigners. We find the names of at least six Englishmen in two years in the list of victims; though the two countries were then at peace, and though the persons put to death were probably traders or

mariners earning their subsistence under the faith of treaties. CHAP. XII.

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John Louis Vives, a Spaniard of great learning and reputation, had bewailed the fate of moderate and charitable Catholics in Spain, nearly thirty years before the period which we are now contemplating. "We live," said he in a letter to Erasmus, "in hard times, in which we can neither speak nor be silent without danger." In the forty-three years of the first four inquisitors-general, ending in 1524, eighteen thousand human beings were committed to the flames, and inferior punishments inflicted on two hundred thousand more. Some of these occurrences in Spain, and the numerous executions in the Netherlands, must have been well known in England about the time of the death of Mary, and could not fail to affect the state of opinion in this island so much that a writer of English history cannot with justice exclude all mention of them from his narrative. Moreover, we learn from the weighty testimony of the prince of Orange, that the Spanish and French monarchs were then meditating the extension over all Christendom of such a tribunal as the Inquisition had already shown itself.

The second expedient proposed for quieting the disorders of Europe, was that of assembling a General Council. Had such an assembly been convened earlier, had they then adopted effective reforms in the constitution of the Church, rigorously enforcing amendment in the conduct of the clergy; had they, before the breach was visible and wide, seasonably granted two concessions, the marriage of ecclesiastics, and the use of the cup by the laity, which, as both were owned to have been prohibited by mere human authority, might have been surrendered without any sacrifice of the highest pretensions of Rome, — it seems very probable that farther reforms might have been evaded, that their progress might have been retarded, and that their complete accomplishment, after a long course of insensible ap-



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proximation, might have occurred at some remote period only without a shock. The ambition or avarice of princes; the furious zeal of multitudes, especially of sectaries; and the anger, pride, and passion for mental domination, which tarnished the piety and sincerity of the Protestants; were, however, formidable obstacles to this consummation. In the reigning Church, the absolute want of the policy of seasonable concession, not indeed an infallible remedy, but the sole resource in times of general trouble from lasting causes, is more remarkable and more blameworthy. Ample allowance, however, is due to the sincere reverence on the part of many for what was anciently established, and to those pious affections which were so interwoven with the doctrines and worship of their fathers, that their hearts fondly clung to every rite and to every word, which were hallowed in their eyes as being blended from their infancy with the most sacred feelings and the most awful truths. How painful it must have been to many an affectionate heart to condemn a long line of forefathers as guilty of fatal and irreparable error! Nor is it to be forgotten that many wise statesmen, without sharing the amiable infirmities of the pious, might tremble on the brink of stirring that vast mass of opinions, sentiments, habits, and prejudices, of which a large part of the religion and morality of men is composed.

The court of Rome, according to its established policy, eluded the meeting of any council successfully for a quarter of a century after Luther had struck the first blow at the pontifical throne. At length one was  
1545. summoned to meet, and actually assembled at Trent. There were present four archbishops, twenty-eight bishops, three abbots, and four generals of religious orders; who, with the three legates\* and the cardinal

\* Of whom Cardinal Pole was one. The history of this celebrated council has been related by Fra Paolo Sarpi, a Venetian of the order of the

of Trent, made a total of forty-three. A year after the council was transferred to Bologna, where it slumbered for two years. Their second session at Trent was suspended for two years, and was not, in fact, resumed for ten years afterwards. At the adjourned assembly, the number of prelates present at the opening was ninety-two; but it increased in its progress so much, that the decrees were finally subscribed by four legates, two cardinals, three patriarchs, twenty-five archbishops, two hundred and sixty-eight bishops, seven abbots, thirty-nine proxies, and seven generals of religious orders. The ambassadors of the Empire, of France, and of Spain attended. England declined to receive a legate from the Pope, who was sent to desire that the representatives of the British Islands should appear at the assembly of the Christian Church. The Protestant states of Germany and Scandinavia demanded for their representatives safe-conducts more ample and precise than it was thought fit to grant. Moreover, they refused to acknowledge the authority of the Pope, under which the Council was assembled. It was suggested that they might appear and confer under a protestation, affirming that they did not thereby waive their opinions; but the real difficulties lay too deep to be reached by any temporary expedients. The Protestants allowed

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Servites, with extraordinary ability, with the liberty of an Athenian philosopher, but with an almost Protestant hostility to the court of Rome. Many years after the death of the illustrious friar, Cardinal Pallavicino, at the desire of the supreme pontiff, who caused him to be supplied with the correspondence of the papal legates at Trent, composed a controversial history, avowedly written to confute the statement of Father Paul. His materials, however, though we cannot know the fairness with which he employed

them, stamp a value on his work, especially as a report of the debates, and a record of the formal proceedings of this famous assembly, the last general, or, as it is called, oecumenical council. Pallavicino, whose ecclesiastical policy was that of a cardinal and a jesuit, is, notwithstanding, commended by Algernon Sidney, who personally knew him; probably on account of the purity of his style,—the only particular in which he is generally preferred to the philosophic Servite.

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nó authority but the Scriptures; a noble principle, if they had adopted more consistently the legitimate consequence of it, that every man must judge for himself of religious doctrines. The Catholics maintained, that whatever had been spoken by Christ was at least as sacred as what had been written by his followers; that the writings of the New Testament were occasional, and intended either to correct misapprehension, or to supply deficiencies in the preaching of the Christian missionaries; that usage deduced from apostolical times was the sole foundation for the substitution of the first day of the week for the seventh as the time of public worship, for the baptism of infants, and for other practices, which, though not authorised, much less enjoined, by any passage of Scripture, had nevertheless been retained by the Lutherans as much as by the Catholic Church. Connected with these doctrines, the adherents of the ancient religion maintained that as God had promised never to desert His Church, He would always preserve her from error in fundamental matters; and that a visible authority, whether vested in General Councils or in the Pope, to determine the sense of doubtful texts, and to ascertain the genuineness of alleged traditions, was not less necessary than the Written Word itself. The doctrine of Infallibility, though destructive alike of sound reason and of pure religion, bestowed consistency on the Catholic system, affording it a much more plausible colour than its adversaries could employ, for the persecution from which neither party abstained.

On many points of doctrine, the reconciliation of the Lutherans, or at least the concealment of differences by ambiguous terms, was then more practicable than it may now be supposed to be. The bodily presence of Christ in the Eucharist was held by both parties; nor is the Lutheran doctrine or term "Consubstantiation" more intelligible than the ancient word "Transubstantiation." In the controversies respecting the Divine



Decrees, the aid of grace, and the nature of justification, the Reformers were more decidedly favourable to the stern doctrines of Augustine than the Romanists; but the high authority of that renowned doctor prevented a condemnation of his opinions. The Dominicans, who were the most learned divines of the Council, defended the Augustinian system against the Franciscans and Jesuits, who, with the majority of ecclesiastics, had adopted principles more consonant with the common sense and natural feelings of mankind. The Lutherans themselves, after the departure of their great master, slid into milder and more popular tenets. If the whole state of opinion on both sides, as practically prevalent, be compared, it will be seen that the differences on these mysterious questions were more apparent than real. It is, however, remarkable that those who are most distinguished for fervid piety and severe morals on either side, in general incline to adopt the system which their opponents plausibly represent as so tainted with fatalism as to have taken away the foundations of morality and religion.

The great abuses of non-residence and pluralities, to which the progress of the Reformation had been in a great measure ascribed, were prohibited by the Council, but with so many exceptions as to impair the rule. The Spanish divines, who were anti-Papal, made a vain attempt to obtain a decree that the residence of bishops was prescribed by the divine authority. This would have established episcopacy on the same foundation; and thereby would have proved fatal to the pretensions of the incumbents of the See of Rome to be universal bishops, whose delegates all other prelates were holden by them to be. The Council declared all marriages without the observance of certain rules null; the first instance of a nullification of marriage enacted by mere human power.\*

\* In this important particular the example and the provisions of the

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During the sittings at Trent, the Pope took occasion to make an attempt to excite a general war of Catholic princes against heretics. But he found that their mutual jealousies and separate interests were obstacles too formidable to be surmounted. Again, a letter from Mary queen of Scots was presented by her uncle the cardinal of Lorraine, in which that unfortunate princess submitted herself to the Council; declaring her determination, in case of her succession to the crown of England, to subject both her kingdoms to the Apostolic See. The thanks of the sacred synod were returned to her for an act which assuredly contributed to the calamities of her subsequent life.

The Council of Trent raised several dogmas of the schools to the rank of doctrines of the Church, at a period when wisdom would rather have loosened than tightened the bands of submission. It timidly and partially reformed a few abuses; but they redressed no grievance with such hearty zeal and conspicuous energy as to silence opponents, to satisfy malcontents, or even to confirm the allegiance of those adherents whose fidelity had been shaken.

The institution of the Jesuits was the third means of opposing the rebellious and heretical spirit of the Lutheran age. Ignatius, or Inigo, Loyola, a Spanish Biscayan, of ardent and meditative temper, had imbibed a more than usual portion of the hatred towards the enemies of the Catholic religion, which Spaniards had, beyond other nations, acquired in the course of the mortal feuds and fierce wars which had for centuries raged between the Christians and Mahometans of the Peninsula. Loyola was distinguished by imagination and feeling. His breast glowed with sincere piety; but his religion was that of a soldier determined to defend his faith, and ready to spread it by the sword.

Council of Trent were adopted in the middle of the eighteenth century by the English marriage act: an odious statute, now happily abrogated.

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All the noble feats of Spaniards had been achieved for religion. It was the basis of their martial renown and their national honour. He who was not an orthodox Catholic could not be embraced as a true Spaniard. Loyola and his first associates amounted only to eight\*, all superior to other men in enthusiasm and fortitude; and some possessed of those great qualities which enable men to produce mighty changes in the opinions of their fellows. Their original purpose was limited to pilgrimages to the Holy Sepulchre and missions into unbelieving lands. Of their number, Francis Xavier, the "apostle of the Indies," was a man worthy of everlasting honour, for devoting himself to a life of suffering for what he believed to be the supreme good of mankind. Neither can the name of Lainez, the second general, be forgotten as the man of legislative genius, who formed the plan and laid the foundation of that system which has rendered the order memorable. Pope Paul the Third approved of their institution, under the name of "the Society of Jesus," on condition that their number should not exceed sixty. In no long time, however, the restriction was removed, and their number was increased to eighty. In the course of about fifty years, that number was estimated at more than ten thousand, or, according to some accounts, at nearly double that number. They were neither confined nor apparelled like monks. They were allowed to live in the world dressed like the secular clergy. They were destined to preach, to teach, to confute heretics, to convert unbelievers, to confess dying penitents, and generally to act in any manner required by the Holy See for the interests of religion. The authority of their general was more absolute than that of the chief of any other order. They were also freed from the obligation

\* Faure, Jai, and Coduri, of Xavier, Portuguese; and Broet from Geneva; Lainez, Salmeron, and Dauphiné, were the original Jesuits. Bobadilla, Spaniards; Roderic and suits.



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of offering daily prayers in public, that they might have more leisure for their special and momentous destination.

Having arisen in the age of reform, the Jesuits became the chosen champions of the Church against her new enemies. They used some generous and liberal weapons in their warfare. Instead of following the unlettered monks, who decried knowledge as the parent of heresy, they joined in the general movement of mankind towards polite literature, which they cultivated with splendid success. They were the earliest reformers of European education. "For education," said Lord Bacon, "consult the colleges of the Jesuits. Nothing hitherto tried in practice surpasses them."\* "Education," says he, "has been in some sort revived in the colleges of the Jesuits, of whom, in regard to this and other sorts of human learning and moral discipline, '*talis cum sis, utinam noster esses.*'"

Peculiarly subjected to the see of Rome by their constitution, they were devoted to its highest pretensions from feeling the necessity of a monarchical power, to conduct their efforts against formidable enemies. While the nations of the Spanish peninsula, with barbaric chivalry, were carrying religion at the point of the sword to the uttermost extremes of the East and West, the Jesuits were reclaiming American cannibals from savage customs, teaching them the arts of civilised life. In India they suffered martyrdom with heroic constancy. They penetrated the barrier which shuts out strangers from China; and by the obvious usefulness of their scientific acquirements, obtained toleration, patronage, and honours from the most jealous of governments. They were fitted, by their release from conventual life and allowed intercourse with the world, to be the confessors of kings. While some were guiding the conscience of a royal penitent at Versailles or Vienna,

\* De Augmentis Scientiarum, lib vi. cap. 4.

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others were teaching the use of the spade and the shuttle in California, and a third body were braving a death of torture from the mountain chiefs of southern India. No community ever practised with so much success the art of discerning the fitness of peculiar minds for specific employments. Hence this society of missionaries and schoolmasters had to boast of the most vigorous controversialists, the most polite scholars, the most refined courtiers, and (unfortunately) the most flexible casuists, of their age. They are the strongest if not the only proof in history, that an artificial system of government and education is, in some circumstances, peculiarly capable of attaining its object. They had not leisure for works of genius or for discoveries in science; to say nothing of philosophical speculation, from which they were interdicted by the adoption, or the profession at least, of implicit faith. Though they had filled the world for two centuries with their fame and their power, they had no names which could be opposed to those of Racine and Pascal; the produce of the little persecuted community of Port Royal during its short and precarious existence. This observation, however, only imports that their powers were more applied to active than contemplative life.

It is foreign from our present purpose to trace the story of the downfall of the order. They were hated by the secular clergy, and envied by the other Regulars. They were watched with jealousy by statesmen and magistrates on account of their boundless obedience to Rome. To exalt the Papal power, they revived the scholastic doctrine of the popular delegation of the powers of government to rulers. The people were, in all controversies between them and their chiefs, to listen with reverential awe and unconditional subjection to the Supreme Pontiff, the pastor of all subjects and sovereigns. The doctrines of deposition and regicide were not peculiar to them. They had been taught by other

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religious orders; and the first of them had been inculcated by Aquinas himself, the main column of the theological schools. It had been adopted by eminent persons among the Protestants, who, under Calvin, had risen against the civil authority, instead of being influenced by its guidance, like the followers of Luther. But the whole odium attaching to these opinions fell on the Jesuits. As they were a militia called out to combat the Reformation, it is no wonder that they were regarded throughout all the reformed communions as incendiaries, always engaged in plotting the overthrow of Protestant thrones, and in heaping up fuel to feed the flames, by which alone Protestant nations could be recalled from heresy.

However superficial statesmen may be deluded by appearances to the contrary, it is a truth proclaimed by the whole course of human affairs, that public bodies cannot long survive the decline of their moral character. General contempt and disgust are fatal to institutions which can flourish only through reverential attachment. The corruption of those who profess to teach morality, or are appointed to enforce it, is an inconsistency which in the course of time shocks even the profligate. The Jesuits split on this rock. They had too carefully cultivated the dangerous science of casuistry, the inevitable growth of the practices of confession and absolution. The science of the casuist, by inuring the mind to the habitual contemplation of those extreme cases in which there is a conflict of duties, and where one virtue may or must be sacrificed for the sake of a greater, does always more or less to lessen the authority of conscience. It has generally vibrated between the extremes of impracticable severity and contemptible indulgence. The irresponsible guides of the consciences of kings were led to treat their penitents with a compliant morality, under the belief that no other could be observed by such penitents. These and the like circumstances betrayed some of their



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doctors into shocking principles, which were held out to the world as the maxims of the society itself by the wit and eloquence of Pascal, one of the greatest, and, except towards the Jesuits, one of the most just of men.\* The order certainly did not adopt the odious extravagancies of some of its members; but the immoralities were not sufficiently disavowed. The selection of particular cases, as matter of charge against a large body, has often the unjust effect of exaggeration. Yet it must be owned that invidious selection, and even gross exaggeration, presuppose a proneness in the accused body towards the vice which appears in its harshest and most revolting shape in its worst members; and that they are a natural, though not strictly just punishment of the wrong disposition which has infected the general body.

These were the principal preparations for those wars of religious opinion, which in an after age ensued, in which the most conspicuous leaders on the side of the ancient establishment were Philip the Second and the duke of Alva; while the party who contended for reformation was conducted by William of Nassau, prince of Orange, Henry of Bourbon, king of Navarre, and Elizabeth Tudor, queen of England.†

\* No man is a stranger to the fame of Pascal; but those who may desire to form a right judgment on the contents of the "Lettres Provinciales" would do well to cast a glance over the "Entretiens d'Ariste

et d'Eugénie," by Bouhours, a Jesuit, who has ably vindicated his order.

† For account of the religious wars on the continent, see Appendix B.

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## ELIZABETH.

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WHEN the Lords and Commons, assembled under Mary's writs, met, they found parliament, according to the ancient constitution, legally dissolved by the decease of the sovereign. The Lords, however, desired the attendance of the Commons to receive an important communication. When the latter had come to the bar, Archbishop Heath, the chancellor, desired their concurrence, as considerable men of the realm, in the solemnities which the demise of the crown required. "The cause of your calling hither," said he, "is to signify to you that the Lords are certified that God has this morning called to his mercy our late sovereign; a mishap heavy and grievous to us; but we have no less cause to rejoice that God has left unto us a true, lawful, and right inheritress in the person of the Lady Elizabeth, of whose title to the same (thanks be to God) we need not to doubt. Wherefore the Lords have determined, with your consent, to pass from hence unto the palace, and there to proclaim the Lady Elizabeth queen of this realm." \* The Commons answered by cries of "Long live Queen Elizabeth!" and both houses proceeded to the great gate of Westminster Hall, where she was proclaimed by the heralds with the accustomed solemnities, in the midst of shouts of joy from the surrounding multitude. The Lords, perhaps, considered themselves to be acting as counsellors of the crown; but their desire of the consent of the dissolved Commons gave the appearance of a parliamentary proclamation to the solemnity.

\* Holinshed, vol. iv. p. 155.

ELIZABETH received the tidings of this great change in her fortunes at Hatfield, where she had been residing for several years in the mild custody of Sir Thomas Pope, but under the watchful eye of a guard. On being apprised of her accession, she fell down on her knees, saying, "This is the Lord's doing, and it is marvellous in our eyes." Elizabeth almost immediately gave an earnest of the principles which were to govern her reign, by accepting, on the same day, a note of advice on urgent matters from Sir William Cecil, whom she restored to the post of secretary of state, which he had occupied under Edward, but from which he had been removed by Mary. Although he had been charged by some with compliances in the latter years of that princess, he was, nevertheless, known and trusted as a zealous and tried adherent of the Protestant cause. He was forthwith sworn a privy councillor, with his friends and followers, Parry, Rogers, and Cave. On the same day, also, the earl of Bedford, who had only a short time before returned from a visit to the Protestant exiles at Zurich, took his seat at the board. Though many of the privy councillors of Mary were re-appointed, the principles of the majority of the Queen's confidential servants, who held their sittings at Hatfield, left no doubt of her policy. Of the doubtful three, the earl of Pembroke was a perpetual conformist to the religion of the court. Lord Clinton received trusts and honours from Elizabeth, which showed him to be no enemy of her faith; and Lord William Howard was retained, in part, perhaps, from the Queen's recollection that she was the grand-niece of a duke of Norfolk.

The Council at Hatfield performed all the duties of administration. They gave orders to the admirals in the Channel: they despatched instructions to the English plenipotentiaries at Cambray: they thanked the magistrates for staying prosecutions for religion: they



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released such as were prisoners for the Protestant cause. Two of the exiles at Zurich returned so quickly that no time could have been lost in giving them assurances before their departure of the good reception which they were to experience. Indeed, no reasonable man could have doubted that the daughter of Anne Boleyn, the favourite sister of Edward the Sixth, educated by learned and zealous Protestants, should prefer the religion of which the adherents respected her birth, and maintained her royal title, to that of those who viewed her as the fruit of an unhallowed union, to whom no other obedience could be due than might have been claimed by Nero.

Orders were issued without delay for the ceremonial of the Queen's entrance into London. She made her solemn entrance accordingly. At the age of twenty-five, it is easy for a queen to be applauded for personal attractions. We are told by a Venetian minister\*, that she was then "a lady of great elegance both of mind and body; of a countenance rather pleasing than beautiful; tall and well made; her complexion fine, though rather dark; her eyes beautiful; and, above all, her hands, which she did not conceal." She is described by some as majestic, by others as haughty; but all agree that her countenance and port were rather commanding than alluring, yet not without a certain lofty grace becoming a ruler. The literary instruction which she had received from Roger Ascham had familiarised her with the two ancient languages which were then almost the sole inlets to the treasures of knowledge and the masterpieces of genius. Latin she acquired from the complete perusal of Cicero and Livy, the greatest prose writers of Rome. She compared the philosophical works of Plato with the abridgments of a Grecian

\* "Di faccia più tosto gratiosa occhj; e sopra 'l tutto bella mano, che bella; grande e ben formata; di de la quale fa professione."—Ellis's Second Series, vol. ii. p. 216.

philosophy by which Cicero instructed and delighted his fellow citizens. She would be taught by Ascham how much the orations of Demosthenes, which she read under his eye, surpassed those of the greatest masters of Roman eloquence. She is mentioned by her preceptor as at the head of the lettered ladies of England, excelling even Jane Grey and Margaret Roper.

Within a few days of her arrival in London, Cecil laid before her his plan for a religious revolution, which was to take from her enemies the power and influence of the establishment, and arm her friends with these formidable weapons. He advised that the change should neither be attempted before the next parliament, nor delayed after its meeting. He owned that it would be attended with danger from Rome, perhaps also from France and Scotland, certainly from Ireland, as well as from Mary's ministers and favourites, and from the bishops and clergy. Some zealous Protestants, moreover, he foresaw, would consider the retention of the harmless parts of the ancient system as "a cloaked papistry." Against these perils he recommended the conclusion of peace with France to be followed by peace with Scotland; and, if these efforts should fail, "to augment the hope of those who incline to good religion in both those countries." The agents of Mary were to be dismissed and discouraged; but her old and sure servants, who had not shrunk in the late storms, advanced. In Ireland, the evil was to be remedied "by gentle and dulce handling;" accompanied, however, by readiness and boldness in suppressing all rebellion.

To settle the particulars of ecclesiastical reforms, Cecil recommended the appointment of seven commissioners. The wary statesman advised a proclamation against premature and unauthorised innovations, allowing the use of the Epistles, Gospels, and Decalogue, together with the Lord's Prayer, Creed, and Litany, in the English language; a concession apparently limited;

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but in truth involving the point in dispute with the see of Rome, inasmuch as it was an assertion of the authority inherent in the state to regulate the details of worship. Such use, however, is said to have been permitted before the proclamation.\* In the service to be performed before the Queen, she was advised to admit no more changes than her conscience absolutely required, until the whole should be reformed by parliamentary authority. Oglethorpe, bishop of Carlisle, was commanded by her, when officiating in her chapel on Christmas Day, to omit the elevation of the Host, as giving occasion to what she deemed idolatry; which that prelate conscientiously refused. The Queen immediately withdrew, with her ladies and courtiers, into her privy chamber, to mark her displeasure. All these circumstances, combined as they were with the tenour of Elizabeth's former life, were considered as such decisive symptoms of her Protestant predilections, that the Romanising prelates refused to take a part in the approaching solemnity of her coronation; except Oglethorpe, who is said to have been haunted by remorse for his compliance during the short remainder of his life. They alleged as the ground of their disobedience that the Queen was manifestly preparing to violate the coronation-oath according to the sense in which they understood it. In the course of a pageant, on the day before the coronation, she was presented with an English Bible; "at the receipt of which, how reverendlie did she, with both her hands, take it, kiss it, and lay it upon her breast!" †

Sir Nicholas Bacon, a lawyer of distinguished learning and integrity, was raised to the rank of lord keeper. He and Cecil had married two daughters of Sir Anthony

\* Hallam, Constitutional History, vol. i. chap. 3. The sagacity and accuracy of Mr. Hallam are such, that I consider his assertion, though

he quotes no authority, as almost equivalent to testimony.

† Holinshed, vol. iv. p. 176.



Cook, renowned for their learning even in that age of female erudition. His zeal for the reformed religion was as remarkable as that of Cecil. The peerages usually conferred on the accession of an English monarch announced Elizabeth's determination to favour the cause of the Reformation. Several of Mary's attainders were reversed; and Henry Cary, the son of Mary Boleyn, and Thomas Howard, a more remote relation of Elizabeth, made peers on the occasion, proclaimed the honour in which the Queen held the memory of her mother. St. John, the only other creation, seems, like the others, to have been a Protestant.

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Since Elizabeth's accession, every measure of her government had been a step towards the Reformation, daily cutting off more and more her retreat to the Church of Rome, from which every part of her personal conduct evinced her irreclaimable estrangement. She now proceeded to its formal completion.

The particulars of her coronation are preserved in Holinshed, for the amusement of those whose languid or vulgar fancy is delighted by the description of such splendour as the gilder and embroiderer can furnish. But even this pageantry afforded to Elizabeth, who, though capricious and harsh to individuals, well knew the secret of dealing with the commonalty, an opportunity of gaining the hearts of her subjects by a display of habitual dignity with seasonable familiarity.

The parliament met shortly, when Cox, one of the English exiles, who was soon afterwards raised to the episcopal dignity, was chosen to preach the customary sermon. Sir Nicholas Bacon opened the session by a grave and wise speech, in which he said that they had been called together to make laws for the uniting of the people of the realm in one uniform order of religion; for reforming all mischiefs in civil policy; and for supplying the Queen's wants. In the performance of their task, he exhorted all the members to avoid sophistical

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disputations, "meeter for ostentation of wit, than for consultation on weighty matters;" and to banish from their mouths all those opprobrious words which are the enemies of concord and unity. He warned them alike to resist idolatry and superstition on the one hand, and, on the other, to avoid a licentiousness which might suffer irreverence, and even irreligion, to creep into the kingdom. In his allusion to the Catholics, the orator perhaps deviated somewhat from his own recommendation. The language in which he alluded to those Reformers who were beginning to seek a further reformation than that of Edward is chosen with more tenderness.\*

An act for the recognising and declaring the Queen's title was unanimously passed by the Lords, and adopted without any apparent opposition by the Commons. This enactment declares her to be rightly, lineally, and lawfully descended from the blood royal, and pronounces "all sentences and acts of parliament derogatory from this declaration to be void." These words imply a confirmation of the marriage of Anne Boleyn; and the latter clause undoubtedly comprehends the divorce for pre-contract. Why express words declaring the legitimacy of Anne's marriage were not introduced, it is not easy to determine. This departure from the example of Mary, who had obtained an express declaration of the legality of the marriage of Catherine, has been insinuated by some to have arisen from doubts respecting the success of the like boldness in Elizabeth. But it cannot be doubted that so zealous a Protestant parliament would have been ready to do that expressly, which they were doing by necessary implication. The case of Elizabeth was different from that of Mary. The marriage of Catherine involved only a simple question of law, which parliament had in effect decided by returning to the communion of the see of Rome. That of Anne depended in part upon matters of fact, of

\* D'Ewe's Journal, p. 14. From a copy of the speech in his possession.

which, at the distance of thirty-five years, and when all the principal parties had been long dead, it might have been difficult to produce satisfactory evidence. The investigation must, if successful, have revived the remembrance of Cranmer's criminal weakness, and placed in the most glaring light the cruel impatience of Henry. It was not, probably, thought politic to bring into question the acts of Mary, or to dispel that obscurity respecting the succession, the removal of which would have presented the queen of Scots to the nation as seated by the side of the throne.

The proceedings by which the ecclesiastical counter-revolution was accomplished occupied the whole session. The first of these measures consisted in the revival of all the statutes of Henry the Eighth against foreign jurisdiction, which, in imitation of that monarch's equivocal language, was called "restoring the ancient jurisdiction of the crown over the state ecclesiastical;" as also of the Protestant statute of Edward respecting the sacrament of the altar. All spiritual jurisdiction was expressly annexed to the crown; and the sovereign was empowered to exercise it by commissioners appointed under the great seal. All ecclesiastical, and most civil magistrates and officers, were required, under pain of loss of office and deprivation of benefice, with disability to hold either in future, to take an oath "that the Queen was the only supreme governor of the realm in spiritual as well as temporal causes" (for Elizabeth forbore to assume the unseemly title of "Head of the Church"), "and that no foreign prince or prelate had, or ought to have\*, any spiritual authority within this realm." Several clauses deserve commendation as manifestations of a tolerant temper; which, though in them-

\* The words "ought to have," only terms in this oath which were if jurisdiction be confined to its only repugnant to the conscience of a true proper sense, that of outward and Catholic. Even that difficulty has not coercive power, were perhaps the always been deemed insurmountable.



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selves imperfect, yet were extensive compared with the practice of the age. The ancient statutes against Lollardy, revived and executed by Mary, were repealed. The ecclesiastical commissioners were forbidden to declare any matter to be heresy but such as had been decided to be such either by Scripture or by any of the first four General Councils; a provision which appears to be equivalent to an exemption of Catholics, as such, from the imputation of heresy. On the other hand, the maintenance of foreign authority in the kingdom, by writing, printing, or preaching, was, for the first offence, punished by fine and imprisonment; for the second, by the severe penalties of *præmunire*; and for the third, by death. Nothing can be urged in defence of such a clause, considered even as a menace, but the disposition of the consistent adherents of Papal supremacy to deny the legitimate birth, and dispute the civil authority, of the Queen. Two temporal peers and nine prelates voted against the bill. On its return from the Commons, however, the lay lords withdrew their opposition, but the spiritual ones persevered.\* The next act, for re-establishing the Common Prayer Book of Edward the Sixth, gave occasion to more serious scruples, and excited a more numerous as well as firmer resistance. The clause subjecting the ministers of the Established Church to punishment for disobedience, is rather to be blamed as a departure from clemency than as a breach of justice. The severe penalties denounced against all who libelled the authorised ritual, though they would now be condemned, were probably then blamed, if at all, for laxity. This bill passed the House of Commons with no opposition but that of one Arnold, which, though directed against the penal clauses, was intended for the bill itself.

\* D'Ewes. The earl of Shrewsbury and the viscount Montague (the latter had been ambassador at Rome) were the lay peers. Heath,

Bonner, Oglethorpe, and the abbot of Westminster, were among the spiritual lords.

It was passed by the Lords, against the opposition of nine prelates and nine temporal peers. Among the latter, we find not only the names of Shrewsbury and Montague, the usual opponents of this session, but those also of the marquis of Winchester, of the Lords Morley, Stafford, Dudley, Wharton, Rich, and North. The Journals of the Lords at the date of the passing not being printed nor perhaps extant, we cannot determine the proportion which this minority bore to the whole House. But as the peers present were about eighty-five, and the same number ordinarily attended after that time, there appears no sufficient reason for doubting that the bill was carried by a majority of nearly four to one.\*

The Convocation had, at their first meeting, protested against the impending innovations; conveying their dissent through the unwelcome hand of Bonner. A disputation was in consequence appointed to be holden in Westminster Abbey. It was agreeable to the principles, though not to the practice, of the Protestants to enter on such conferences with an advantage; as they recognised the right of free inquiry. But the Catholic divines, who deemed themselves concluded by the decisions of an unerring Church, with whatever ability they might vindicate their doctrines, could not profess any openness to conviction. It was consistent with their system to disapprove such disputes. The conference, therefore, at which Lord Keeper Bacon presided, was productive as usual only of increased irritation; and boasts of victory were equally loud on both sides. The Catholic prelates remarked on the unseemliness of placing Bacon, a layman, in the chair to moderate a religious debate. It was angrily conducted; and the bishops of Winchester and Lincoln were committed to the Tower, for threatening to excommunicate the Queen.

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\* Dr. Lingard and Mr. Ellis have told us that the bill passed by a majority of only three. But neither quotes authority.

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Some documents purporting to be speeches of the minority in parliament in these important debates are preserved. But they are considered as spurious or doubtful by the ecclesiastical historians of both parties. Those ascribed to Archbishop Heath, Bishop Scott, and Feckenham, abbot of Westminster, are summaries of the controversy on the Catholic side, and are not properly within the province of the civil historian. The speech of the Lord Montague is more ingenious and seasonable; objecting to the severe penalties, and urging the ordinary arguments from the antiquity and universality of the Romish Church only as presumptions of the uncertainty of Protestantism, and as aggravations of the injustice of severely punishing adherents to a faith maintained for so many ages.

The true hinge of the dispute was not touched by either party. The real subject of dispute was whether the Legislature had a right to alter the established religion, on condition of respecting the estates for life vested by law in certain ecclesiastics. The Protestants as well as the Catholics converted the debate into a theological discussion; justifying their measures by the truth of their religious opinions. No one then saw that the Legislature could not, without usurping authority over conscience, consider religion otherwise than as it affected the outward interests of society; which alone are entrusted to their care, or submitted to their rule. Every other view of the subject, however, arising from a wish to exalt religion, must in truth tend to degrade it.

Of the only two important deviations in the new Book of Common Prayer from the liturgy of Edward the Sixth, the first, consisting of the omission of a prayer to be delivered from the "tyranny of the bishop of Rome and all his detestable enormities," manifested a conciliatory temper towards the Roman Church; and the second, instead of the Zwinglian language, which



spoke of the Sacrament as being only a remembrance of the death of Christ, substituted words indicating some sort of Real Presence, though not affirming the presence to be corporeal; coinciding with the phraseology of Calvin, which, if any meaning can be ascribed to the terms, might, it should seem, be used by Catholics, not indeed as adequately conveying their doctrine, but as containing nothing inconsistent with it.\*

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The Queen also scrupled about the abolition of the honours shown to the statues and pictures of holy men. She harboured prejudices favourable to the superior sanctity of a single life, which withheld her from approving the marriage of the clergy. She was indulgent to the affectionate practice of praying for the souls of the departed, which a simple piety seems very early to have suggested to the ancient Christians.

About the middle of the year after the accession of the Queen, the new liturgy was introduced, and the oath of supremacy administered. Fifteen bishops refused to take the oath; being all the prelates then alive, except Kitchen of Llandaff, who did not shrink from the completion of that time-serving course, of which others of his brethren were at length ashamed. Their example was followed by seventy-seven dignitaries, and fifteen heads of colleges; but, out of the numerous body of parochial clergy, by only eighty rectors †; a singular proportion, clearly marking the power of honour and shame where the case is public and conspicuous. The pliancy was by no means so considerable as under Henry and Edward; partly because the progress was then gradual, partly because the clergy had been engaged in the first steps of it almost by surprise, and in no small degree from the terrors of Henry's sanguinary

\* (*Edward the Sixth.*)

"Take and eat this in remembrance that Christ died for thee, and feed on him in thy heart with faith."

(*Elizabeth.*)

"The body of our Lord Jesus Christ, who was given for thee, preserve thy body and soul."

† Dod, vol. ii. p. 318.

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government. It is remarkable that so small a loss should have occasioned so great a deficiency in the means of religious instruction, as that which Protestant writers deplore. The necessity of one minister serving several churches, however, is all but confined by Strype to London, where the conformity of known Catholics was more disgraceful.\* Laymen were appointed, he tells us, to read the service in the churches which were left destitute.

The university of Oxford (we have little information at this time concerning Cambridge) displayed a steadiness, venerable, if it proceeded from conscience; respectable, if it had no higher source than a regard to character; on either supposition, natural in stations of eminence and influence; the first instance, and perhaps one of the occasions, of their zealous attachment to ancient institutions. A small deduction from the number of fellows of colleges, on whom the education of the learned classes chiefly devolved, must have caused a great chasm in clerical and literary instruction. Bishop Jewel complained that there were not two in Oxford of the Reformed opinions. It is not to be forgotten, that many Catholic priests at first conformed; and that means were found to exempt others from the oath, and to convert their benefices into sinecures. The expulsions were not all enforced in the beginning; and in five years, we are told by Strype†, the chasm was almost filled up. If allowance be made for exaggeration, perhaps the Protestant account of the numbers, which is not opposed by any distinct enumeration on the other side, is not greatly defective; and may be nearly reconciled with the loud complaints of destitute churches, by the strong impression which the minds of men had received from the striking examples of the capital and the chief seminary of education. Even Cardinal Allen, in his "Answer to the Defence of the Justice of Eliza-

\* Strype, *Annals*, vol. i. p. 203.† *Ibid.*

beth," makes the whole number, exclusive of Ireland, to be only two hundred and twenty-nine; an estimate falling very short of the whole number of the parochial clergy.

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According to the standard of that age, the treatment of the deprived bishops was remarkable for mildness. The imprisonment of Bonner, whose odious character gave some colour to the reason alleged by a few partisans of the government, that his confinement was necessary to shelter him from popular violence, can hardly be regarded as an exception. Elizabeth, who had received the other bishops at her first audience with due courtesy, turned from Bonner as from a man of blood; and on his death, ten years afterwards, the Bishop of London caused him to be interred by night, to protect his remains from the fury of the populace. The respectable Heath passed the remainder of his life at his own house in Surrey, where he was frequently visited by the Queen. The venerable Tunstall, together with Thirlby, a statesman rather than a prelate, was placed in a state of lenient ward in Lambeth Palace. Scott, Pate, and Goldwell retired beyond sea, not without the connivance of the ministers. White and Watson had threatened to excommunicate the Queen. The former was, notwithstanding, released, after acknowledging his fault; and at his death, was publicly and solemnly interred in his late cathedral of Winchester. Watson, though unpopular as a morose man\*, lived for twenty years with the bishops of Rochester and Ely; but was at the end of this period, in consequence of a charge of conspiracy, confined in Wisbeach Castle, where he died two years after.

To fill the vacant sees became one of the most serious cares of the new government. Cecil and Bacon, the principal ministers, turned their immediate attention to the vacant primacy, at this crisis the most important

\* Dod, vol. i. p. 485. Strype, vol. i. p. 214.



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station in the kingdom. Their choice had been, even before the late coronation, fixed on Matthew Parker, a man of worth and learning, who, though a married clergyman, was endeared to Elizabeth by having been the chaplain of her mother, who with her dying breath commended to his pious care the religious nurture of her infant daughter. He had been for some time confined to the country by a quartan ague, a distemper then often fatal. A great part of the intervening year was employed in conquering the repugnance of this humble and disinterested man to the highest dignity in the church. When Cecil and Bacon had finally succeeded in overcoming his scruples, the consecration was delayed for some time, in order to take such precautions as might best secure its validity from being impugned. The Church of England then adopted, and has not yet renounced, the inconsistent and absurd opinion, that the Church of Rome, though idolatrous, was the only channel through which lawful power of ordaining priests, of consecrating bishops, or validly performing any religious rite, has flowed from Christ. The council, therefore, first endeavoured to obtain the concurrence of the Catholic bishops in the consecration; which, however, those prelates, who must have considered such an act as a profanation, conscientiously refused. They were at length obliged to issue a new commission for consecrating Parker, directed to Kitchen of Llandaff, Ball, an Irish bishop, and Barlow, Scory, and Coverdale, who had been deprived in the reign of Mary, and to two suffragans. Whoever considers it important at present to examine this list, will perceive the perplexities in which the English Church was involved by its zeal to preserve unbroken the chain of episcopal succession. For the sake of this frivolous advantage, it was led to prefer the common enemy of all reformation to those Protestant communions which had boldly snapped asunder a brittle chain; a striking example of the evil that

sometimes arises from the inconsistent respect paid to authority. Together with Parker, four others were also consecrated, whose preferment, as they had been exiles for their religion in the time of Mary, was a strong and irrevocable pledge of the Queen's early determination to stand or fall with the reformed faith. This politic, as well as generous, elevation of faithful adherents and patient sufferers did not prevent her wise ministers from a general choice which none of their antagonists ventured to impugn. For some time many of the Roman Catholics, unskilled in theological disputes, continued to frequent their parish churches, regardless of the differences which were about to steep the continent in blood. This uninquiring conformity appears not immediately to have yielded to the condemnation of it pronounced by the divines at Trent.

The Anglican Reformation was completed by the publication of the Articles of Religion, exhibiting a creed which, upon the whole, deserves commendation, in the only points where its authors could exercise any discretion; treating the ancient church with considerable approaches to decency; preferring quiet, piety, and benevolence to precision and consistency; and not pressing those doctrines to their logical consequences, which, by such a mode of treatment, lead only to hatred, to bloodshed, and often to a corruption of moral principles.

A translation of the Scriptures was also published by authority, which, after passing through several emendations, became, in the succeeding reign, the basis of our present version. This latter was the work of translators not deeply versed in the opinions, languages, manners, and institutions of the ancient world, who were born before the existence of eastern learning in Europe, and whose education had been completed before the mines of criticism had been opened, as applicable to the events of history, or to the decyphering and interpretation of

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ancient writings. On these accounts, as well as on account of the complete superannuation of some parts of its vocabulary, it undoubtedly requires revision and emendation. Such a task, however, should only be entrusted to hands skilful and tender; the translation being one which, to say nothing of the connection of its phraseology with the religious sensibilities of a people, forms the richest storehouse of the native beauties of our ancient tongue; and by frequent yet reverential perusal has more than any other cause contributed to the permanency of our language, and thereby to the unity of our literature. In waiving the higher considerations of various kinds which render caution, in such a case, indispensable, it is hard to overvalue the literary importance of daily infusions from the "well of English undefiled" into our familiar converse. Nor should it be forgotten, if ever the revision be undertaken, that we have already an advantage, not to be hazarded for tasteless novelties, in a perfect model of style in the translation of works of the most remote antiquity into that somewhat antique English,—venerable without being obscure,—which alone can faithfully represent their spirit and genius.

While the Queen was continuing to consolidate her throne on the basis of Protestantism, which her enemies as well as her friends were teaching her to contemplate as the only secure foundation of her title and government, the increasing opposition to further reforms, sometimes diverted by personal interests and temporary incidents, and sometimes blended with the shifting objects of public policy, was hastening to become the mainspring of the wars and revolutions of Europe. Some of the steps towards a general war of opinion, and some of the political causes which gave an ascendancy for a short time to a transient and narrow policy have been elsewhere traced. The most considerable of the latter was the marriage of Mary Stuart to the



Dauphin. At the death of Mary Tudor, the queen-dauphiness assumed the arms and regal title of England; to which she was indeed the heir in the eyes of all who deemed Elizabeth illegitimate, and considered parliament as not having the power to invade the sacred order of succession. Mary and her husband had even executed a grant of land to Lord Fleming, by their style as king and queen of England as well as of Scotland.\* Acts of this sort could not be regarded as the mere assumption of barren titles, since they never had been practised during the reign of Mary, or even of Edward. The claims of a Catholic pretender, wedded to the heir apparent of such a monarchy as France, while Scotland was divided between the contending communions, while Ireland was altogether Catholic, and while Papists predominated in the northern provinces of England, were in the highest degree formidable to the Protestant succession in England, and seemed to threaten the overthrow of Elizabeth's throne. At the death of Henry the Second, who was mortally wounded in a tournament shortly after having issued an edict inflicting death on all who held the new opinions, the princes of the house of Lorraine, a race remarkable for capacity, valour, and daring ambition, became the masters of France. In the minority of Francis the Second, their sway over the imbecile boy was established through the ascendancy of their niece, Mary Stuart (his wife by a union unhappy, and, in spite of its outward splendour, unsuitable), distinguished even then for vigour and ability. These princes, who countenanced the legends which deduced their descent from Charlemagne, certainly regarded the sovereignty of the British islands as being within Mary's lawful pretensions, of which the enforcement was not beyond the grasp of their own almost boundless aspirations.

\* Cecil's Diary, in loco.

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It has been already seen that Philip the Second, a bigot of equal sincerity, sternness, and sagacity, preserved Elizabeth from the merciless purposes of her sister, to keep her as a restraint on the ambition of the house of Lorrain. When he saw the pretensions to the English throne, which the French princes now made for their niece, he suspended every purpose of religious hatred, and of his permanent policy, to provide against an aggrandisement so menacing to his dominions. The count de Feria, the Spanish ambassador in London, had received his master's orders to make propositions of marriage to Elizabeth. Though this fact be attested by all writers, the particulars are mentioned by none, and do not seem to be preserved in our public repositories. Philip is said to have pressed his suit with some importunity; and to have assured the Queen that he would obtain a Papal dispensation for the marriage, which would at least silence her Catholic subjects. She, wary from her early youth, answered the advances of so potent a monarch with all due courtesy. She intimated the difficulty, which she doubtless felt, of tacitly owning her illegitimacy, by accepting a Papal dispensation to become the wife of her brother-in-law. Her repugnance to the marriage, as she afterwards declared to Castelnau, was so strong, as to have prevailed over her gratitude. Her destruction at one time had seemed so certain, that she had determined on asking no other favour than that her head should be struck off by a sword, as her mother's was, instead of an axe. She, says Camden, with a mind most averse from such nuptials, thought nothing so likely to deliver her from the pursuit of her importunate lover, as the immediate adoption of decisive measures for the establishment of the Reformed Church.\* The various motives which withheld her from the proffered marriage were too obvious to escape

\* Camden, *Annals* (Hearne).

a prince so discerning as Philip. Perhaps, however, we may be allowed to conjecture, that his expectations of retaining England by wedlock were slight; but that he relied on the friendly dispositions with which the young Queen would doubtless be inspired by his affectation of gallantry towards her. At all events, the suit was soon relinquished; for the count de Feria declined to appear at the coronation; and the unhappy betrothal of Elizabeth of France to Philip was one of the stipulations of the treaty of Château-Cambresis.

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The relations of Elizabeth at her accession with the court of Rome, were a matter which required to be handled with no small delicacy. Sir Edward Carne, an eminent canonist, had represented the English government there during all the periods of friendly intercourse, from the negotiations about the divorce of Henry to the death of Mary. Elizabeth instructed him to announce her accession to the Pope, and to assure him of her determination to offer no violence to the conscience of any class of her subjects; thus at once conveying her desire of amity, and her unshaken Protestantism. Caraffa, a noble Venetian, who then filled the Papal throne by the name of Paul the Fourth, made answer with haughtiness unquenched from his death-bed, and with the marble inflexibility of fourscore, that England was a fief of the Apostolic See; that Elizabeth could not succeed, being illegitimate; that he could not reverse the decrees of his predecessor against the marriage; but that, notwithstanding her boldness in presuming to wear the crown without his previous assent, being yet desirous to show a fatherly affection towards an illustrious nation, and to a lady of high though not unstained lineage, if she would renounce her pretensions, and refer herself wholly to his generosity, he should be disposed to do for her whatever could be done consistently with the honour



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of the Apostolic See.\* To this arrogant answer many historians have ascribed the separation of England from the Catholic communion. But Cardinal Pallavicino, though he blames the obstinate folly of the Pontiff, which thus rejected every chance of reconciling England, adds, with his accustomed sagacity, that the mildness of Elizabeth's language was only an opiate used to lull him to sleep, till her power should be secured. It was her intention quickly to throw off the mask, and act with the zeal of an obstinate heretic, who had been declared to be a bastard, and whose mother had been pronounced to be a prostitute.† The advances of Elizabeth did not deceive the Roman court. She commanded her minister to return; but the Pope prohibited him from leaving Rome under pain of excommunication, offering him at the same time a provision as master of the English hospital. Carne, in his despatches, protested against his detention; solemnly declaring that he would rather beg his bread homeward than seem to disobey his sovereign's command. It was, nevertheless, suspected that the veteran diplomatist, actuated by deep-rooted attachment to the ancient faith, had voluntarily procured the exile of which he affected to complain. He died at Rome two years after, no otherwise worthy of historical notice than as the last of a long succession of ministers who had for eight hundred years maintained the ecclesiastical intercourse between England and the See of Rome. The brief and abortive effort to revive it in the following century cannot be regarded as a substantial exception.

When Paul found Elizabeth inaccessible to his menaces, he issued a bull, in which he did not name her, but confirmed the excommunication and other punishments provided against heretics, whether subjects or sovereigns; depriving the latter of their dominions,

\* Fra Paolo, lib. v.

† Pallavicino, lib. xiv. c. 8.

and excluding them from every solace of human intercourse and society. This Pope died a few months afterwards, loaded with the curses of the Romans. His statue was thrown into the Tiber, and his remains with difficulty saved from the fury of the populace. Had the accession of Elizabeth been somewhat later, the reception of her advances by his successor, Pius the Fourth, a prince of the house of Medici, would have been more courteous, and might perhaps have preserved to the Roman court the possibility of such advantage as depended on the continuance of an amicable correspondence with England. For shortly after the latter's succession, he despatched Parpaglia, abbot of St. Saviour, to the Queen, with letters full of respect and affection, imploring her to return to the communion of the Church, and assuring her of his readiness to contribute to the happiness of her soul and the establishment of her royal dignity. He is even said to have verbally instructed his envoy to promise that, if she would return to the bosom of the Catholic Church, and submit to the parental authority of the Apostolic See, he would declare the validity of her mother's marriage, permit the use of the English liturgy, and allow the sacrament in both kinds to the laity. Parpaglia was not, however, allowed to enter England. Pius, not altogether despairing, renewed his efforts the year following. Martinengo, an Italian abbot, announced from Brussels to the English ministers, that he was desirous of proceeding to London on the part of the most Holy Father, to represent to the Queen his earnest wishes to reconcile her and her subjects to the rest of Christendom; and to entreat her, for that end, to send her prelates to the General Council about to be holden in the city of Trent. A Privy Council was assembled at Greenwich, to consider this momentous proposition. It was there resolved that it was impossible "to allow the Pope's jurisdiction within this realm to any purpose," without

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shaking the Queen's title to the throne; that the appearance of a nuncio in London would countenance the false reports of the Queen's intention to change her religion, and thereby encourage the audacity of the disaffected, as well as render faithful subjects fearful of manifesting their affection; that, besides the highest motive of religion, it was inconsistent with common prudence to run the hazard of a new religious revolution, at the very moment when the country was beginning to recover from the last; that the legate then in Ireland was active in stirring up revolt; that Parpaglia himself had been in a former year charged with the task of exciting a rebellion in England; and that a general council, though, if really independent, it would be most acceptable in England, must, in the present circumstances, be regarded as only a Papal lure. Had the Roman government been disposed, at the accession, to grant all that they are supposed to have offered, the Queen might perhaps have purchased a truce with a formidable antagonist, by concessions to the English Catholics far beyond the expectations of that period.\* But the time for such negotiations was now past. The Council advised that Martinengo should not be allowed to enter the kingdom.

The Queen's policy consisted in showing that steady front to her opponents which alone could secure the fidelity of adherents. The history of the dealing of the Roman See with the Lutheran Reformation is crowded with lessons to all who bear sway over nations in seasons of trouble and peril. The grant of the Cup to the laity, the use of the vulgar tongue in worship and instruction, even the Celibacy of the Clergy, were generally allowed to be matters of discipline only, on which concessions might be made without derogation from the

\* But this could only be, if all the terms which Parpaglia was supposed to have the power of granting, ex-

cept the recognition of Anne Boleyn's marriage, be understood as confined to the English Catholics only.



unerring judgment of the Catholic Church. But the pretension to Infallibility had not only perverted the understanding, but had corrupted and inflamed the temper of the Papal counsellors. Its influence extended beyond its argumentative consequences. It begat a haughty spirit, a stubborn pride, an undistinguishing defiance of all attempts to conciliate, in cases where they might have yielded without inconsistency. The effect was, that the British Islands were completely separated from the Roman communion, and France nearly so; to say nothing of the degree in which the ancient faith throughout Christendom was undermined.\*

The final breach between Elizabeth and Rome probably contributed to the sudden cessation of Philip's efforts to obtain her hand. Her marriage continued to be a subject of the deepest interest, not only to her own people, but to all zealous and reflecting Catholics and Protestants throughout Europe. Philip, after his failure for himself, laboured to obtain her hand for his cousin the archduke Charles. Her encouragement of this union was ascribed by continental politicians to her hope that an alliance between England and Austrian Germany might in some degree curb the ambition and counterpoise the power of the two great crowns of France and Spain. The Protestants were suspicious of its tendency to introduce a Popish influence into England, while the court of Rome dreaded that the heretical queen might lessen the union of Catholic sovereigns. The negotiation was subsequently re-

\* All attempts have proved unsuccessful to recover either the count de Feria's propositions of marriage, or Carne's despatches, containing the account of Caraffa's answer to Elizabeth. But the numerous allusions to the former in the letters of the chief actors in these scenes leave no doubt of the fact. The truth of the latter may be considered as esta-

blished by the consideration, that though it rests much on the testimony of Father Paul, it is not contradicted, but rather tacitly assumed, by his acrimonious opponent, Cardinal Pallavicino, who wrote from the Roman records, and might have known those who were of full age at the accession of Elizabeth.

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newed, partly perhaps to parry the importunity of parliament for the queen's marriage; and, on the latter occasion, it was promoted by Leicester, with a zeal which indicates the extinction of the ambitious hopes ascribed to himself. Elizabeth refused to allow the public exercise of any religion but the Protestant in her dominions; a matter which, from the long continuance of the negotiation, appears to have been deemed not incapable of compromise. The apprehension of the success of the negotiation procured for Elizabeth a suitor of fourteen years of age in the person of the duke of Anjou, who afterwards ruled France under the name of Henry the Third; a prince whose brutal amours and acquiescence in cruelty do not appear to have been relieved by a solitary virtue. Castelnau visited Britain to tender for the queen's choice either him or his brother Charles the Ninth; alternative proposals so tempting, yet so execrable, that it would be hard to find a parallel for them in history. In the matrimonial negotiations with the royal family of France, there are clearer traces of intention on both sides to amuse and deceive for temporary purposes, than can be discovered in other treaties of the like nature. Castelnau, for example, offered the duke of Anjou to Mary Stuart, as he had done before to Elizabeth. The Austrian marriage, on the contrary, was so acceptable, that Lord Sussex, the ambassador at Vienna, was not only very desirous of the alliance, but considered it as practicable. In his despatch to Elizabeth, he skilfully tries to soften the heart of his mistress, by displaying the qualities of Charles's mind, and still more fully the beauties of his countenance and form. He told the archduke that the queen was free to marry, though she had never given a "grateful ear" to any motion of marriage but to this. The archduke answered, that, but for this assurance, he had heard so much of the queen's not meaning to marry as might give him cause

to suspect the proposal. Sussex, fearing religion to be the obstacle, ventured to insinuate that, his Imperial Majesty being believed secretly to favour the Lutherans, the archduke, by communicating the secret to him, might bring the negotiation within a short compass. The archduke, without contradicting the prevalent opinion of his father's religious inclination, asked Sussex whether he could advise an Austrian prince suddenly to change a religion which his ancestors had so long holden. Sussex told Elizabeth, that as reputation ruled Charles under the guise of the Catholic religion, there was no doubt that, notwithstanding the obstacle of his profession, he would prove "a true husband, a loving companion, a wise counsellor, and a faithful servant." \*

Eric, king of Sweden, the son of Gustavus Vasa, sought the hand of both the British queens. His suit in England continued for two years. The duke of Finland, his brother, had been welcomed at the English court two years before; and now preparations were made for his own honourable reception. But both the princesses had the good fortune to escape a sanguinary tyrant, the degenerate offspring of the deliverer and reformer of his country. The national jealousy which has generally subsisted between Sweden and Denmark excited Adolphus, duke of Holstein, to proffer his hand also. The connection, however, was declined; Elizabeth accounting him to be sufficiently honoured by the order of the garter, and likely to be sufficiently consoled by an ample pension.

The root of that indisposition to marriage which is apparent through Elizabeth's life, is probably best understood from her significant declaration to the earl of Leicester, during the period of his highest favour, "I will have here but one mistress, and no master.† On

\* Sussex to the Queen, Vienna, 18th and 26th Oct. 1567. Lodge, *Memoirs*, vol. i. pp. 364. 368.

† Naunton, *Fragmenta Regalia*.



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another occasion Sir James Melville, the Scottish envoy, who understood her character, when she declared her dislike of marriage to be such as nothing but policy could overcome, answered, "Madam, you need not tell me that: I know your stately stomach; you cannot suffer a commander: you think if you were married, you would be but Queen of England, and now you are king and queen both."\*

In answer to the first address of the House of Commons, she had said, "From my years of understanding, I happily chose this kind of life in which I now live; yet I shall never in that matter conclude anything that shall be prejudicial to the realm. This shall be for me sufficient, that a marble stone shall declare that a queen, having reigned such a time, lived and died a virgin."† At another time, on the other hand, she declared, "If any think I never meant to try a wedded life, they are deceived: I may hereafter bend my mind thereunto, the rather for your request." Again, she was earnestly entreated, in a joint address from both houses of parliament, to enter into a state of wedlock, and to settle the order of the succession to the crown. The cause of this unusual address was probably the extremely disturbed state of affairs in Scotland; which the same year had been the scene of the murder of Rizzio by Darnley, and of that of Darnley by Bothwell; both events deeply affecting the fair fame of the heiress presumptive. Opinions in England on the succession were divided, and inclinations violently opposed. Mary was the hope of the Catholics, and the terror of the Protestants; but acknowledged to be heiress of the English crown by all rigorous adherents to hereditary succession. Some preferred the Lady Lennox, as a natural-born Englishwoman, who was a daughter of Margaret Tudor. Another party maintained the right of the Lady Catherine Grey, countess of Hertford, for the

\* Melville, Despatches sub anno 1564.

† D'Ewes, p. 47.

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same reasons which had seated her sister the Lady Jane on a momentary throne. The new influence which the birth of a son had bestowed on Mary, and the remembrance of the danger from her usurpation at the Queen's accession, were additional incitements to the petition. "Our first prayer is, that it may please your majesty to dispose yourself to marry. The second, that limitation may be made of this imperial crown, how it should descend, if God call your highness without heirs of your body to guard the realm against factions, seditions, and intestine war." They fortified their petition by referring to many instances, both ancient and modern, in which the sovereigns of England had entered into marriage by the advice and consent of parliament. Elizabeth again said, "If any one here suspect that I have made a vow or determination against that kind of life, he is wrong; for though I may think it [celibacy] best for a private woman, yet I strive with myself to think it unmeet for a prince."\* But the Commons, being more zealous Protestants, were not satisfied by this language, which, though veiled by an affectation of prudery, was intelligible; and Elizabeth was obliged to allay their apprehensions by instructing her ministers, Cecil and Rogers, to signify to them "that she, by God's grace, would marry; but that the perils to the person of a sovereign from the nomination of a successor, of which she had seen a specimen in her sister's reign, though the successor was then only expected, not nominated, were so great that the time would not allow it now to be fully treated of."

A subsidy, consisting of a tenth and a fifteenth of all personal estate, estimated according to the ancient usages, and made payable in two instalments, was granted by this parliament, in consideration, as the preamble alleges, of the Queen's having forborne to make such demands of money on her people as her

\* D'Ewes, p. 117.

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needs required, "of the comfortable assurances that her majesty would marry, and that she would fix a successor as soon as the safety of her person would allow." \*

We must here anticipate so far as to observe, that in the next parliament Sir Nicholas Bacon, lord keeper, reminded the members that of the late subsidy the Queen's majesty, from her own bountifulness, had remitted one half: "was the like here in England ever seen or heard of?" † It was on this occasion that one of Elizabeth's memorable sayings came forth, "that the money was better in the pockets of her people than in her coffers." The remission of this subsidy, however, may be rather ascribed to a just reliance on her people, and to an equitable regard to the motive of the Commons for the grant, than to principles of economy, of which the prevalence could not have then been foreseen without the gift of prophecy.

We have seen that she made too strong a declaration in favour of marriage, in order to cover her refusal to nominate a successor. A person of less sagacity might easily see the policy of keeping contending claims dependent upon herself, and the danger of offending one party by a nomination which might encourage the opposite faction to anticipate the allegiance to which it would by such a choice be declared that their favourite candidate would one day be entitled.

An incident had occurred, almost immediately after her accession, which cruelly exemplified the sternness of political maxims, in cases relating to the royal family, and affecting the descent of the crown. The sovereigns of England had in all ages claimed, and have not yet renounced, an unreasonable prerogative in superintending the conduct, and more especially in controlling the marriages, of the princes and princesses of the royal blood. Lady Catherine Grey, the descendant of Henry

\* 8 Eliz. c. 18.

† D'Ewes, p. 133.



the Seventh by his second daughter, the queen dowager of France, was undoubtedly the first princess of the blood, after the Queen of Scots. Her marriage was not unjustly deemed to concern the order of succession. It was maintained, with much appearance of reason, that the Queen's consent was necessary to a union which might otherwise render the succession doubtful, distract the kingdom, and overthrow her throne. Princely rank was dearly purchased by this young lady. She had been wedded, or rather affianced, to Lord Herbert when she had scarcely ceased to be a child, at the period of her sister's nuptials with Dudley. But the earl of Pembroke, the most noted timeserver of the age, who was said to have "got, spent, and left more than any subject since the Norman conquest,"\* as soon as he veered round to Mary Tudor, which was when the first ray of fortune shone on her, immediately caused his son to repudiate the espoused lady; and secured a lasting separation from the child of misfortune, by wedding the youth to Margaret Talbot, a daughter of the earl of Shrewsbury. Lady Catherine Grey resided in attendance upon the Queen, where, in spite of the deadly feud between their fathers, she contracted a passion for the earl of Hertford, the son of the protector Somerset.† They were secretly married while Elizabeth was on a hunting party. On the Lady Hertford's acknowledging that she was pregnant, she was committed to the Tower. Hertford himself, on his return from his travels, was sent to the same prison. Archbishop Parker, Bishop Grindal, and Sir William Petre, were named commissioners to inquire into the matter. Witnesses of the marriage not being produced in time, it was pronounced null, and the imprisonment of both parties was continued during the Queen's pleasure. But popular feeling was unfavourable to this cruel policy; and, Hertford eluding the watchfulness of

\* Naunton.

† Ellis, Second Series, vol. ii. p. 272.

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his gaolers, a second pregnancy heightened the displeasure of the Queen. Hertford was fined fifteen thousand pounds in the Star-chamber, for the threefold offence of deflowering a virgin of the royal blood, of repeating that outrage after sentence of nullity, and of breaking prison. The ravages of the plague at the time, which, even in London as it was then, was sweeping away one thousand persons a week, produced some relaxation of severity of the imprisonment. The lady was allowed to reside at the country-seat of her uncle, Lord John Grey. Both, however, were soon after recommitted to the Tower. The rigour of their treatment was partly occasioned by the indiscretion of one John Hales, who had published a book in support of the rights of the house of Suffolk, and of the validity of the countess of Hertford's marriage; for which he was imprisoned, to prevent the appearance of encouraging attacks on the title of the queen of Scots. Lady Catherine died, with calmness and piety, after a confinement of more than six years. She besought those around her to solicit from Elizabeth forgiveness of her acts of disobedience, and protection for her three infant sons. She desired her wedding-ring to be delivered to her husband, together with another on which was painted a death's head, with these words around it, "While I live, yours." Perceiving her nails to look purple, she said, "Lo, here he is! and putting down her eyes with her own hands, she yielded unto God her meek spirit." \* Nearly half a century afterwards, her memory was relieved from imputation by the verdict of a jury, which by necessary inference established the validity of her marriage.†

The importance of matrimonial propositions to the Queen, and of all circumstances affecting the succession, was hardly diminished, when, by the death of Francis, Mary had become free to accept any other offer which

\* Ellis, *ut supra*, vol. ii. p. 289.

† Collins' *Peerage* (Brydges' ed.), vol. i. p. 173.

might be made to her, however opposed to the policy of her English sister. The archduke Charles was at one time engaged, with the sanction of the brothers Guise, in the pursuit of Mary's hand. It has been before related, that the duke of Anjou was offered by the French court both to Mary and to Elizabeth. The duke of Ferrara and several princes of the Empire were also candidates for the hand of the former; and the prince of Condé was at one time suggested as a husband for her, with a view to a reconciliation between the houses of Guise and Bourbon. A rumour had been prevalent, that when Philip the Second offered to cede Sardinia to the king of Navarre, in consideration of his renouncing that titular monarchy, Mary was offered to him, when he should be divorced from Jeanne d'Albret for her heresy. England was also said to have been held out as part of the lure, on the deposition of the heretical Queen. It is unlikely, however, that Philip, who had not yet sacrificed his jealousy of French greatness to his zeal for the Catholic cause, should have been willing to place so much power in the hands of French princes. It was apparently from this jealousy that an offer sprang, far more threatening to the peace of Elizabeth than any other which had been made to Mary. When the marriage of the Queen of Scots to the archduke was being seriously agitated, Philip informed Cardinal Granville, in a confidential despatch, that he was content to sacrifice the suit of his son, Don Carlos, to that of his cousin, the archduke; but that, having heard, with no small uneasiness, that the king of France had turned his mind to a union with Mary Stuart, he should willingly consent to the marriage of his son, the heir of the Spanish monarchy, to the Queen of Scotland. The escape of Mary from the hand of Don Carlos was the only fortunate event of her remaining life; and it must have been considered by Elizabeth as the removal of one of the greatest dangers



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that could have threatened her own safety. For this reason, perhaps, it may be excusable to insert in this place, without a strict regard to the order of time, an event which, though not strictly a part of English history, was extremely characteristic of the monarch destined to be the most formidable antagonist of Elizabeth, and highly calculated to display the odious nature of the pretensions of the heads of royal families.

The wretched Carlos had from his infancy manifested every species of imbecility and depravity which can be united in the mind of one man. Incapable of instruction, yielding without bounds to every passion, stupid as the most grovelling brute, ferocious as a beast of prey, no care of courtly masters, no lessons of learned preceptors could bestow on him that scanty polish of manner, and that smattering of the general language of intercourse, which are expected from those of his rank. His grandfather, the Emperor Charles, when he saw him at sixteen, bewailed the fate of his late empire. A Venetian minister, resident at Madrid, seeing the prince tearing to pieces the rabbits brought in for his sport, and contemplating with delight their dying convulsions and palpitations, foretold to his senate the miserable condition of the millions in every region from sunrise to sunset who were to be subject to his will. At eighteen, he fell from a scaffold, and received wounds in the head, which during the remainder of his life added convulsions, mental debility, and occasional attacks of insanity, to his natural defects and vices. His father, perhaps justifiably, put him under restraint. His mad passion for travelling was exasperated, and he formed wild schemes of escape. His incoherent talk often turned on the revolt of the Flemings, with whom he sometimes affected a fellow feeling; while, on other occasions, he professed an ambition to command the army against them. When the duke of Alva was taking his leave before repairing to that command,

Carlos said, "My father ought to have appointed me." "Doubtless," said Alva, "his majesty considered your life as too precious." Carlos drew his dagger, and attempted to stab the other; adding, "I will hinder your journey to Flanders, for I will pierce your heart before you set out." His frenzy continued to rage more and more fiercely, mingled with much of that cunning peculiar to madness. He declared to his confessors that he was resolved to take the life of a man. In reply to their inquiries, who it was, he said that he aimed at a man of the highest quality; and, after much importunate examination, he at length uttered "My father!" Philip, attended by the chief officers of state, went at midnight in armour to arrest him. Acting on his fatal notion of the boundless rights of kings and fathers, he did not shrink from communicating his proceedings to the great corporations of Spain and to the principal Catholic states of Europe. His subjects and allies interceded for Carlos. Their intercessions were withstood by the iron temper and misguided conscience of Philip. The commissioners appointed to try Carlos reported, that he was guilty of having meditated, and at his arrest attempted, parricide; and that he had conspired to usurp the sovereignty of Flanders. They represented the matter as too high for a sentence; but insinuated that mercy might be dictated by prudence, and threw out a hint that the prince was no longer responsible for his actions.

Men of more science than the Spanish commissioners, and more secure in their circumstances, might be perplexed by the intrinsic difficulty of ascertaining the precise truth, in a case where malignant rage often approached to insanity. The clouds which always darkened the feeble reason of Carlos might sometimes quench it. The subtle and shifting transformations of wild passion into maniacal disease, the returns of the maniac to the scarcely more healthy state of stupid anger, and

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the character to be given to acts done by him when near the varying frontier which separates lunacy from malignity, are matters which have hitherto defied the experience and sagacity of the world. At this point the records of the commission close with a note made by their secretary, stating shortly that the prince had died of his malady, which thus hindered a judgment. A dark veil conceals the rest of the proceeding from the eyes of mankind. It is variously related. Philip is said to have ordered that advantage should be taken of the distempered appetites of Carlos; which, after he had confined himself to iced water for a time, were wont to hurry him into swallowing quantities of animal food; and that he should thus be betrayed into becoming his own executioner. Another narrative, not quite irreconcilable with the former, describes the prince of Eboli and the Cardinal Espinosa as having intimated to Olivarez, the physician of Carlos (as darkly as our John spoke to Hubert), that it was necessary for him to execute the sentence of death, which the King had pronounced on the wretched patient, in such a manner that his decease might seem to have been natural. When the prince felt himself to be in the agonies of death, he desired to see his father, and to receive his blessing. Philip sent his blessing, but, by the advice of the confessor, declined to disturb the dying devotions of his son. Vanquished by nature, however, he stole into the chamber; and, standing unseen, spreading his arms over him, prayed for the expiring youth, and then, bathed in tears, withdrew. Carlos not many hours after breathed his last. An historian, who wrote from original documents, adds, to a narrative otherwise not dissimilar, the significant words, "if indeed violence was not employed."\*

\* *Strada de Bello Belgico*, liber vii. pp. 213—218. Edit. 4to. Mog. 16.



his agonies were cut short; and can hardly be said to insinuate an aggravation of a tale so tragic, that, if proved to be real, it would be still too horrible, and too wide a deviation from the general truth of nature, for the verisimilitude required in history.

With whatever horror a modern reader may contemplate such events, there is no reason to doubt that, throughout the whole course of conduct thus inhuman, Philip was supported by the approbation of a misled and deluded conscience. He and his contemporaries carried the notions of parental power to extremities, the practical assertion of which the laws of well-ordered commonwealths would repress by condign punishment. Though it was then thought that a virtuous prince should leave the ordinary exercise of criminal justice to his judges, it was held also that kings, who were armed with the sword by God himself, were not bound to abstain from exercising their sacred right in such a manner as the circumstances of the case might require. The forms of law were thought to be desirable, but not indispensable parts of an act of regal justice. In the instance of Don Carlos, the father considered a secret execution as the only expedient for reconciling the deliverance of a nation from the rule of a monster, with the inviolable majesty of the royal line. The milder mode of pronouncing a lunatic to be incapable of succeeding to the throne probably appeared to him an open and dangerous invasion of the Divine right of inheritance in a monarchy. He was probably also influenced by the more worldly policy of not keeping up a source of discord, and leaving behind him a pretence for usurpation which might deluge his empire with blood.

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ELIZABETH, *continued*. — SCOTTISH AFFAIRS.CHAP.  
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THE safety of the British government depended on a Protestant establishment. Protestantism could not be secure in England if it were oppressed and extinguished in the neighbouring countries; the foreign policy of the Queen can hardly, therefore, be distinguished from her domestic administration. This has already appeared in two remarkable instances: it will be seen on a larger scale, and during a longer time, in her transactions with Scotland.

By the position of that country in the same island with England, and by a language mutually understood, the Scottish nation possessed means of annoyance which gave it an importance with Elizabeth, to which its smallness and poverty would not otherwise have entitled it. The community of language formed a strong tie between the Reformed preachers of both countries, who were the leaders of the people in that age of religious revolution. During the reign of Francis the Second, the duke of Guise and the cardinal of Lorraine, who were the rulers of France, governed Scotland by the hands of their sister, the queen dowager; a princess endowed with the capacity of her family, who had been taught by experience that she must stoop to prudence, and purchase some ascendancy over events by occasionally yielding to their course. She was compelled sometimes to lean on the Protestant party as it grew in strength, with the same species of trimming policy which induced Catherine de Medici in France to make occasional use of the Huguenots, to balance the

aspiring house of Lorrain. The seeds of the Reformation had been early scattered among the Scots, where they found a soil very favourable to their growth in the hot temper and disputatious spirit which were in that age regarded as peculiarly distinguishing the nation.\* The blood of martyrs nourished the enthusiasm of the rising religion. Cardinal Beaton, archbishop of St. Andrew's, a man who united a dissolute life with a zeal for the faith shown chiefly in persecution, caused George Wishart, a pious and humble ecclesiastic, to be burnt alive for heresy, himself witnessing the horrible death. He and his dignitaries, clothed in gorgeous robes, seated on velvet cushions, under a purple canopy, contemplated the protracted agonies. The very perilous, though specious, doctrine of tyrannicide was called into practice by these atrocities of men in authority. A body of persons, some of whom were of high rank, and none of the lowest, resolved to revenge the martyr by killing the cardinal. They procured an entry into the castle of St. Andrew's by one of the falsehoods called stratagems, and executed their purpose on a defenceless man with all the precipitate rage which commonly attends such deeds.

Though the queen-regent had employed Protestants as her occasional instruments, she could habitually trust none but Catholics; and the rapid progress of the Reformation obliged her to resort to French succour, a measure too unpopular to be adopted without imminent danger. The Protestant nobility were driven by an imperious necessity to address themselves to England

\* "Scoti ad iram naturâ paullo propensiores." . . . . "Subita ingenia et ad ultionem prona, ferociaque. Ostentant plus nimio nobilitatem suam, ita, ut, in summa egestate, genus suum ad regiam stirpem referant. Nec non dialecticis argutiis sibi blandiuntur." Servetus,

Ptolemæi Geographiæ Prefatio (Lugd. Bat. 1535). The very remarkable notions of national character to be found in the preface of Servetus had probably been collected at the monasteries and colleges where the poor scholars of all European nations were mingled.



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as soon as that kingdom was ruled by a princess of their own persuasion. Their success in Scotland was indispensable to the safety of Elizabeth. Hence arose her inducement to favour them, and hence also sprang her justification for the connection.

Although Scotland was represented at Château-Cambresis by the French plenipotentiaries, and had been expressly comprehended in the general pacification concluded at that place, yet the pretensions of Mary to the crown of England kept up an irritation between the two courts, of which the particulars are sufficiently narrated by Scottish historians. An English force entered Scotland to protect the Protestants against the French auxiliaries who were employed by the queen. The death of Mary of Guise contributed to prolong the Scottish troubles; while that of Henry the Second hastened the approach of civil war in France, by giving full scope to the vast projects of her family.

The progress of the Reformation was rapid and universal in Scotland. The ignorant multitude continued to frequent the churches of their establishment long after most of them had caught a vague inclination towards the Reformed faith, easily combining in their unreflecting practice what was irreconcilable in principle. The ascendancy of the "lords of the congregation," and the presence of an English force, encouraged them to throw off the mask, and to give the rein to their preference for the reformed opinions. The Scottish nation, which had one day appeared faithful to the Church of Rome, on the next took up arms for the Protestant cause. The commerce of the Lowlands with England and Flanders naturally spread the new opinions in those more cultivated and better peopled provinces. It is not so easy to discover how the Highlanders, instead of imitating their Irish brethren in attachment to traditional opinions, transferred their veneration so lightly to novelties which might have

been expected to have been unacceptable to rude and uninquisitive mountaineers. They seemed to be secured from the contagion of innovation by their language, which was radically different from that of their southern neighbours, and marked them as belonging to a different race. But the few natives, who were thinly scattered over a rugged country, in which a parish was often as large as a diocese elsewhere, and among whom religious houses were too rare to supply the want of parochial care, were so slightly tinctured with religious opinions, or rather with superstitious usages, that they without difficulty followed the fashion of their chiefs. And these were partly tempted to assume the name of "Protestant" by the lure of a share in the spoils of the Church, and were possibly also influenced by the example of the southern barons, from whom the greater part of them professed to derive their pedigree.

In the summer of this year, the princes of Lorrain, anxious to prepare, by the concentration of all their force, for the extremities which were now approaching, resolved to withdraw their troops from Scotland; contenting themselves, for a season, with obtaining as favourable terms from England, and for the royal authority of the youthful Mary, as circumstances would allow.

A treaty of peace between England and France, comprehending the affairs of Scotland, which were the cause of difference, was, after long negotiations, concluded at Edinburgh. These were principally conducted by Sir William Cecil on the one part, and on the other by Monluc, bishop of Valence, a prelate of profligate manners, but an experienced negotiator, who had more than once exercised his abilities among the fierce Scots, and was known as a minister to the haughty and fanatical court of Constantinople. The principal stipulations of the treaty were, the evacuation of Scotland by the military force of both parties, and a solemn

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engagement that Francis and Mary should desist from assuming the title or bearing the arms of England. It was found difficult to prevail on the French ministers to consent to any stipulations on behalf of the Scottish insurgents. These were proposed by the English Queen on behalf of her allies; for though, in diplomatic forms, Francis and Mary represented their Scottish subjects, Elizabeth was the person engaged in really securing the rights of the Scottish nation. One article of this pacification, couched in courtly and mysterious language, was devised, which, after stating that Francis and Mary had been pleased to show their clemency to the nobles and people of Scotland, by assenting to the prayer of their petition presented on the day of the treaty, declared the desire of these princes to make known this proof of their benignity towards their subjects, to their dear sister Elizabeth, whose requests had increased their readiness to grant these concessions; and it was finally agreed that the most Christian king and queen should fulfil all that they had promised to the Scottish nation, so long as the nobles and people fulfilled the terms to which they on their part had agreed. The particulars are stated in a despatch from Cecil. That great minister, with justice, tells his mistress, "As for the surety and liberty of Scotland, we have been the means to obtain all things requisite; so as the nobility here acknowledge the realm more bounden to your majesty than to their sovereign. In getting of things we have so tempered the manner of granting thereof, that the honour of the French king and queen is as much considered as may be. The country is to be governed by a council of twelve, out of twenty-four to be named by parliament; and of the twelve, seven are to be chosen by the queen, and five by the three estates." \*

But the most important of the concessions was the

\* Secretary Cecil to the Queen. Haynes, State Papers, p. 351.



engagement of Monluc that an assembly of the States should be holden "which should be in all respects as valid as if it were called and appointed by the express commandant of the king and queen." The postponement of the meeting was probably intended to give time for the royal negative from Paris, if it should be thought advisable. The only exception made by Monluc related to religion, as not being a subject of his commission; with respect to which it was agreed, that a deputation of the three Estates should proceed to Paris with their own ratification, in order to satisfy the Queen of the necessity of ratifying the concessions. This treaty was a master-stroke of policy, which bound to Elizabeth that growing majority of Scotsmen who favoured the Reformation. They were now taught to feel that she whose safety and faith were embarked with them, ought to be regarded by them as their sole protectress.

We have already noted some of the causes of offence given by the princes of Lorraine to Elizabeth, and some of the grounds of just alarm which they had afforded to her, by asserting the pretensions of their niece to the English throne. In relating facts so important, it may be pardonable to remind the reader that the title and arms of England had been assumed by Francis and Mary immediately on the death of Mary Tudor, so as to mark without doubt that the actual bearer was a usurper. The bull, by which the dying hand of Caraffa had deprived all heretical princes of their dominions, had been obtained by them as an additional weapon against Elizabeth; and it has already been seen, that the threatening titles were introduced into private legal documents, to familiarise the minds of men to them, and to interweave them with the ordinary securities of property. A constant succession of similar acts had followed, equivalent to a perpetual claim on the English crown. The heralds of Francis were, at a tournament

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in Paris, apparelled in the arms of England; the ushers crying out in going before Mary, "Make way for the Queen of England." The arms of England, as those of Mary, at the marriage of Philip the Second with the princess Elizabeth of France, were inscribed on arches erected for the occasion, with Scottish verses, one of which designed her "Of Scotland queen and England too." \* The same proclamations and inscriptions had followed Mary in her progress throughout the provinces. The secret acts of the French government corresponded with these pretensions. Among other things they privily sent to Scotland a staff of state with a great seal, on which were engraved the arms of France, Scotland, and England; of which John Knox, a passenger in the same ship with them, obtained a sight under injunctions of profound secrecy. We are assured by Castelnau that, though the English ambassador was amused by promises, the French ministers did not desist from the use of the arms of England; "because," says he, "they were fearful of doing irreparable injury to Mary, by impairing her title to the crowns of England and Ireland." †

The treaty of Edinburgh was ratified by Elizabeth within two months of its completion; but the Guises prevented their ill-fated niece from ceasing to provoke England. For nearly a year Mary refused or evaded the ratification demanded repeatedly by Elizabeth, by resident ministers at Paris, and even by solemn embassies expressly charged to obtain it, both after the death of Francis and before; and such was the pertinacity of her guides, that she would not consent to an act renouncing her claim in order to obtain a safe return to Scotland.

It is here necessary to inform the reader, that the States of Scotland had assembled on the day fixed by

\* Cecil's Diary, in Murdin, pp. 747, 748.

† Castelnau, *Memoires*, liv. ii. c. 4.

the treaty. The attendance, especially of the more popular Estates, the untitled gentry, and the burgesses, was greater than in any former parliament. The session began with a debate on the legality of the assembly; which was questioned on account of the absence of any representative of the sovereigns, or of a commission from them. The express words of the concession, however, justified the majority in overruling the objection. A statute was passed abolishing the Papal authority. A Confession of Faith, founded on the doctrine of Calvin, and a Book of Discipline, on the worship and government of the church according to the republican equality of the Genevese clergy, were established by the assembly. They passed one remarkable act in civil matters, in which they offered the hand of the earl of Arran, the presumptive heir to their kingdom, to the Queen of England, and agreed to settle the Scottish crown upon them and their heirs, on failure of issue of Mary.

From circumstances related by a writer nearly contemporary, it should seem that these great measures were almost unanimously assented to. The Catholic prelates were silent. Only three lay peers, the Earl of Athol, and the Lords Somerville and Borthwick, muttered their dissent, saying, "We shall continue to believe as our fathers before us have believed."\* Sir James Sandilands, a knight of Rhodes, was despatched to lay these proceedings before the Queen.

A specimen of the negotiations to persuade Mary to ratify the treaty is preserved in a despatch † of Sir Nicholas Throgmorton, in which that able minister relates his conversation with the cardinal of Lorrain who joined the arts and manners of Rome with the aspiring spirit of his family. The cardinal's main plea against ratification was, that the Scots had not performed their

\* Spotswood, History of the Church of Scotland, p. 151.

† Hardwick, State Papers, vol i. p. 125.



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part, by returning to their obedience. "The Scots, I will tell you frankly," said he to Throgmorton, "perform no point of their duties: the king and the queen have the name of their sovereigns, and your mistress hath the obedience. They would bring the realm to a republic. Though you say your mistress has in all things performed the treaty, we say the Scots, by her countenance, perform no point of the treaty."\* The same argument was repeated by Francis, Catherine de Medici, and Mary herself, at audiences which they gave to Throgmorton. "To tell you of the particular disorders," said the cardinal, "were too long;" which is his only apology for not specifying any. Throgmorton, in a private audience with Mary, assured her that if she would be graciously pleased to observe all that Randan and the Bishop of Valence had promised, the States of Scotland would perfect their duty to their majesties, by sending a suitable embassy to Paris. The only grievance which the king, or the queen, or the cardinal, had deigned to specify was, that the Scottish parliament had sent "a mean man" to Paris to convey their prayers, though the person so described was Sir James Sandilands, preceptor of the order of St. John of Jerusalem in Scotland. The cardinal neither urged that the ambassadors had exceeded their powers, nor complained of the parliament for having transgressed the concessions by a change of religion. He made no distinction between the treaty with Elizabeth and the grants to the people of Scotland. If he had objected to the first as containing a promise to a foreign sovereign, that the king and queen would observe the conditions which they had granted to their subjects—which he did not—at least he ought to have offered to ratify the prior article, recognising the undisputed right of Elizabeth to her own throne. To this there was no objection on the ground either of Elizabeth's illicit

\* Hardwick, State Papers, vol. i. p. 125.

interference in Scottish affairs, or of the default of the Scottish parliament. The refusal or evasion of so harmless a stipulation manifested a hostile mind against Elizabeth, and an inflexible purpose to keep formidable pretensions hanging over her head; ready, whenever she should be weak or they strong, to crush her.

Cecil, however, from the beginning, founded the advice which he gave his sovereign to take a part in Scottish affairs, on the more comprehensive principle of the justice and policy of self-defence. "It is agreeable to God's law," said he, "for every prince and public state to defend itself not only from present peril, but from perils that may be feared to come. It is manifest that France cannot any way so readily, so puissantly offend, yea invade and put the crown of England in danger, as if they recover an absolute authority over Scotland. The long deep-rooted hatred of the house of Guise, which now occupieth the king's authority against England is well known. What chiefly stays the execution of their purpose against England, is the resistance in Scotland, where they have lately sent a great seal with the arms of England." \* Maitland of Lethington, who destroyed the effect of great abilities by a capricious inconstancy, which repelled all trust, seconded with his wonted talents the reasoning of Cecil. "The fear of conquest," says the latter †, "made the Scots to hate the English and love the French. The case changed, when we see them [the French] attempt conquest, and you [the English] show us friendship, shall we not hate them and favour you? especially now that we are come to a conformity of doctrine, and profess the same religion with you, which I take to be the straitest knot of amity that can be devised."

These reasonings on the justice and policy of armed interference for a friendly party, where the safety of a

\* A Brief Consideration of the Weighty Matter of Scotland. Forbes, State Papers, vol. i. p. 387.

† Robertson, History of Scotland, Appendix, No. II.

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state requires it, are in substance common to all ages and nations ; though they were not expressed by the statesmen of the sixteenth century in the artificial language of what was afterwards called international law. Their principal defect is, that they may often be used with equal plausibility by several contending parties ; though it is generally evident that one only has justice on its side. In the particular case before us, the defect does not seem to have been considerable. The true question always being, which party is really influenced by self-defence, and which employs it merely as a pretext, it cannot be doubted that Elizabeth sought an ascendancy in Scotland for her own safety, while the house of Guise pursued the same object for their aggrandisement. To this may be added, that the first wrong was done by the latter, in setting up their niece as a pretender to the English crown ; and that this wrong was grievously aggravated by their perseverance in it. They obstinately persisted in using the royal arms of England as a flag round which every disaffected Englishman might rally ; and this too, even after their own ministers had pledged them by a solemn treaty to discontinue such an incentive to revolt. It has already been observed, that the reasonings of Cecil and of Maitland were not conveyed in the specious and subtle language of modern jurists : they were, nevertheless, conformable to the most approved principles of the time. These ancient statesmen do not seem to have been aware of the difficulty of reconciling the rights of self-defence with the apparently conflicting duty of every community to respect the independence of every other, and to manifest their sense of justice by abstaining from foreign interference. The solution, however, of that difficulty flows from the simple principle which is the basis of Cecil's advice.

The right of defence, whether exercised to repel an attack or to prevent it, is still the self-same right, ex-



tending to conventions with contending parties in a community, as well as to those which subsist with contending states. When a contest for the supreme power prevails in a country, foreign states, which have no jurisdiction in the case, are neither bound nor entitled to pronounce judgment in the quarrel. Their relations with each other having been formed for the welfare of the subjects of each, they must treat the actual rulers of every territory as its lawful government. In all ordinary cases, they should treat the pretenders as alike legitimate when obeyed; and preserve the same neutrality in the war between parties as if it had been waged between independent states. It is an obvious inference from these premises, that foreign sovereigns may ally themselves with a possessor of authority, if defence and safety require it, on the same ground that they form alliances with anciently established governments. Wherever it is lawful to make war, it is equally lawful to obtain strength by alliances. It would, doubtless, be more for the welfare of mankind to adjust their differences by institutions making some approach to a discerning and honest judgment, than to leave them to the blind and destructive arbitrament of war. But as long as nations assail one another by arms, they must be resisted by the same cruel and undistinguishing expedient. The laws of war (as they are called) are the same in civil as in foreign warfare. It is as much forbidden by international morality to league with an unjust state, as it is in private litigation to support an unjust suitor. But as independent nations have no common superior, their wars must be practically treated, by those who desire to remain neutral, as if justice lay on both sides. In some extraordinary instances of notorious and flagrant wrong, neutral nations may be entitled, and even perhaps sometimes bound, to interpose for the prevention of injustice. In such extraordinary emergencies, whether a nation is influenced by a

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regard for its own safety, or by a disinterested reverence for equity, both these principles point to the same practical result. For as the general prevalence of a disposition to act justly and humanely is the principal safeguard of nations as well as of individuals, to which the terrors of law or even of arms are only occasional and inadequate auxiliaries, it is not possible to set the example of bidding open defiance to these principles without impairing the security of states, in proportion to the extent of such acts of criminal audacity.

Had Francis the Second lived a little longer, the princes of Lorraine meditated an exercise of his authority, which would have anticipated some of the tragical scenes of a later period. All the great lords, officers of the crown, members of the privy council, and other considerable persons, were commanded to attend an assembly of the States-General, to be holden at Orleans, on Christmas-day, that they, as well as the deputies of the three estates, might sign a confession of the Catholic faith, which was afterwards to be circulated through every parish, and tendered for subscription to every individual in the kingdom. The subscription was to cancel past offences; but defaulters were to be punished by condemnation and confiscation, to be followed by banishment or death. The execution of these or the like designs was postponed for twelve years, and reserved for other hands, by the death of Francis, a nominal king, whose insignificant name was the tool of the Guises, and only served to fix a few dates, or to mark the limits of a brief period, distinguished by no conspicuous occurrences. But the reign of this weak prince, thus unimportant in itself, was big with the confusions which ensued. By his death, Catherine de Medici recovered part of the authority which the princes of Lorraine had engrossed.

In the mean time Mary Stuart, in the flower of her youthful beauty, accustomed to sway in a gallant court,

hating the queen-mother, over whom she had wantonly triumphed, was soon weary, either of enduring Catherine's new superiority, or of dragging out her widowhood in a province, without favour, and deserted by her followers. The Catholics of her own country early sent to her John Lesley, afterwards bishop of Ross, a minister of ability, an elegant scholar, and an adherent of devoted fidelity, with earnest advice that she should land on the north-east coast of Scotland, where the house of Gordon, a powerful family of zealous Catholics, might assemble their vassals, and accompany her to Edinburgh, with a force sufficient for the restoration of religion and royalty. The confidential ambassador of the Protestants was James Stuart, prior of St. Andrew's, a natural son of James the Fifth, by Margaret Erskine (a daughter of the noble family whose title to the earldom of Mar was afterwards recognised), a person surpassed in ability by no man of his age; and, if not spotless, yet with a public life as unstained as was perhaps possible through scenes so foul. Stuart urged the necessity of Mary's return to Scotland, mainly with a view to place her in the hands of Protestants; but also because he was convinced that it and a compromise with the prevailing religion were the only means by which she could regain any portion of power and securely retain the crown.

Mary's uncles, who were still more politicians than Catholics, saw the necessity of temporising, and distrusted the advice of zealots. They acquiesced in Lord James's counsel for the moment, content to adjourn the subjugation of Scotland till all Europe should again bend under the Papal yoke. The French officers who had served in Scotland warned the Queen against trusting to the strength of the royalists, apprised her of the universality of the defection, urged the necessity of complying with the temper of her people, and advised her to place her confidence in Stuart, and to employ

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As soon as Mary had determined on returning to her kingdom, she despatched D'Oysell to London to ask a safe-conduct for her minister and for herself. Elizabeth delivered her answer in a crowded court with a loud voice, and in a tone of emotion, refusing both requests; and adding, that the queen of Scots should ask no favours till she had redeemed her pledged faith by the ratification of the treaty of Edinburgh. "Let your queen ratify the treaty, and she shall experience on my part, either by sea or by land, whatever can be expected from a queen, a relation, and a neighbour." When advices had been received of D'Oysell's failure, Throgmorton, the English minister, was admitted to an audience of Mary, in which she displaced a spirit and calmness probably unexampled among beautiful queens of nineteen. Having waved her hand as a signal to the company to withdraw to another part of the room, she said to Throgmorton: "My lord ambassador, I know not how far I may be transported by passion, but I like not to have so many witnesses of my passion as the Queen your mistress was content to have when she talked to M. D'Oysell. There is nothing that doth more grieve me than that I did so forget myself as to desire from the Queen a favour that I had no need to ask. You know that, both here and elsewhere, I have friends and allies. It will be thought strange among all princes and countries, that she should first animate my subjects against me; and now that I am a widow, hinder my return to my own country. I ask her nothing but friendship. I do not trouble her state, or practise with her subjects; yet I know there be in her realm, that be inclined enough to hear offers. I know also that they be not of the same mind that she is of, neither in religion nor in other things. Your Queen says I am young, and lack experience. I confess

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I am younger than she is. During my late lord and husband's time, I was subject to him; and now my uncles, who are counsellors of the crown of France, deem it unmeet to offer advice on the affairs between England and Scotland. I cannot proceed in this matter until I have the counsel of nobles and states of mine own realm, which I cannot have till I come among them. I never meant harm to the Queen my sister. I should be loath either to do wrong to others, or to suffer so much wrong to myself."\* The genuineness of this eloquent speech, one of the most remarkable specimens of guarded sarcasm and of politely insinuated menace, is indisputable; for it is reported by a pen that would not have adorned it. After this conversation, James Stuart, commendator of the monastery of St. Colm, was despatched to London. He left Abbeville with instructions more friendly than Mary's conversation would have led Elizabeth to expect. The latter princess, in her letter to the queen of Scots, continues to say, "We require no benefit of you but that you will perform your promise; neither covet we anything but what is in your own power as queen of Scotland, that which indeed made peace between us; yea, that without which no amity can continue between us. Nevertheless, perceiving by the report of the bringer that you mean forthwith, on your coming home, to follow the advice of your council in Scotland, we are content to suspend our conceit of unkindness, and do assure you, this being performed, to live in neighbourhood with you quietly in the knot of friendship. It seemeth that report hath been made to you, that we had sent out our admiral with our fleet to hinder your passage. Your servants know how false that is. We have only, at the desire of the king of Spain, sent two or three small barks to sea, in pursuit of certain Scot-

\* Throgmorton to the Queen. Cabala, p. 335.

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tish pirates.”\* These last words must be considered as substantially an assurance that orders had been given to the commander of the English vessels equivalent to a safe-conduct. A breach of such an assurance would have been as infamous as that of the most formal instrument. The law of nations, which has the imperfection of being destitute of tribunals to decide its disputes, and of force to carry judgments into execution, has, at least, some compensation in being free from pettifoggery, and knows little of the distinction between formal and informal instruments.

Though Mary surpassed her cousin both in vivacity and address, Elizabeth had undoubtedly the better cause; and in her last letter showed more prudence. When asked for a favour, she required the payment of a debt of justice. Mary would have forfeited no fair advantage by ratifying the renunciation. Whatever influence Mary might gain in England by declining to renounce a present claim to the crown, was evidently inconsistent with her professed desire of peace, and could only be kept up at the expense of the quiet and safety of the English nation. By the renunciation of the claim, on the other hand, the succession of the house of Stuart, after the death of Elizabeth without issue, according to the hereditary nature of the monarchy, was left inviolate. The two claims to possession and succession, so far from being naturally connected, were practically inconsistent. The claim to possession supposed Elizabeth to be an usurper: the right of succession recognised her as a lawful sovereign.†

\* Elizabeth to Mary. Robertson, Appendix, No. VI.

† Dr. Robertson, a judicious and accurate historian, has argued this case as if the consequence acquired by Mary's pretensions to England were not unlawful; and has founded the right of succession with the claim to possession. Notwith-

standing his general correctness, and his uniform solicitude for truth, he has suffered the words “in all times to come” to slide into his summary of the renunciation, which may seem to favour his argument; though they would, in truth, be of little moment if they were part of the treaty. Robertson, vol. ii. p. 49.



The Queen of Scots began to prepare for her voyage. She was accompanied to Calais by six of her princely uncles, and attended by a brilliant company of the lords and ladies of the French court. A smaller number followed her to her kingdom; among whom, fortunately for posterity, was Peter de Bourdeille, lord of Brantome, whose artless and picturesque narrative has furnished to historians the materials of a story which for three centuries has touched the hearts of mankind.

At the moment when Mary was leaving the harbour of Calais, and just before the oars of her galley were first dipped into sea water, a vessel perished before her eyes, from disregarding the soundings and currents, and the greater part of the mariners was lost. On beholding this, Mary exclaimed, "Good God, what an omen for a voyage!" When they had cleared the harbour, a breeze sprang up, so that they made sail, and the oars of the galley slaves ceased from their noise. The Queen, leaning on both arms, stood on the poop, and the big tears falling from her eyes, looked back on the port and country which she was quitting, repeating, "Farewell, France! farewell, France!" She continued mournfully musing for some hours, exclaiming "It is now, my dear France, that I lose sight of thee: I shall never see thee more." A bed was prepared for her on the poop, where she had some disturbed sleep. The steersman awoke her at break of day; for so she had ordered him to do if the French coast was still in view. As it disappeared, she redoubled her farewell ejaculations, exclaiming, "Farewell, France! it is over; I shall never see thee again." So poignant were the feelings inspired by the affections, the fears, and the recollections of a royal beauty, whose days of magnificence and power were now closed. Let it not be forgotten that the experience of unwonted sorrow disposed her to pity. She would not allow a slave in the galleys to be struck; requesting, and even expressly commanding, her uncle of Aumale to enforce

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the execution of her orders. The weather was clear till the day before the landing of the vessels, when they were enveloped in a fog so thick that the eye could see no object so far as from poop to prow. They were obliged to cast anchor in open sea, and to take soundings often. When the fog had dispersed, they found themselves so surrounded with rocks, that if they had not stopped they must have perished. A small English squadron, sent out, as has been said, in pursuit of Scottish pirates, saw the royal vessels, saluted them, and, after searching the baggage transports for pirates, dismissed the whole convoy amicably, except one vessel of a suspicious appearance. That pirates were then cruising in the Scottish sea is indisputable. Elizabeth had sent to Mary a list of names of some such, desiring that they might be delivered up to justice. The answer was, that news of this disorder had reached her before she had left France; that on her arrival in Scotland she had prohibited suspicious cruisers; and that, on the receipt of Elizabeth's letter, she had ordered search to be made for the plunderers. That the English fleet saw the galleys, and might have captured them, is evident from the fact admitted by Cecil, that one of the ships was actually detained. The conduct of the English commanders towards Mary's vessels minutely corresponds with the assurance of Elizabeth, that she had suspended her displeasure at the refusal to ratify the treaty, and had given orders to her naval officers which were equivalent to a safe-conduct.

On landing at Leith, the Queen and her company were obliged to mount the wretched hackney horses of the country, still more wretchedly caparisoned. The Queen burst into tears, exclaiming, "Are these the poms, the splendours, and the superb animals on which I used to ride in France?" When they arrived at the abbey of Holyrood, the French courtiers owned that it was a fine building, and that it did not partake

of the barbarism of the country. In the evening, however, they were annoyed by a multitude of five hundred or six hundred persons singing Psalms under the windows, an early and offensive badge of their Calvinism; playing on sorry rebecks and unstrung fiddles, with such neglect of all harmony, that the Parisian connoisseurs thought it worth while to criticise the performance. Next morning, a royal chaplain narrowly escaped with his life from the hands of the fanatical rabble, who viewed him with horror as a priest of Baal.\* "Such," said the Queen, "is the beginning of welcome and allegiance from my subjects: what may be the end I know not; but I venture to foretell that it will be very bad."

It would perplex a philosophical moralist to estimate the comparative depravity of the country where she had lived, and of the country which she came to rule. In falsehood, circumvention, in faithless disregard of engagements, in every black crime which requires hateful forethought and wicked contrivance, the court of Catherine de Medici was unmatched. In shameless and gross dissoluteness of manners it surpassed every other. The number of political atrocities also was probably greater at Paris than at Edinburgh. The guilty deeds to which men are instigated by violent passions were, in all likelihood, most numerous in Scotland. The Reformation, which had taught more severe manners, had not yet infused the Christian spirit of love and charity. But from the eye of the young princess the varnish of manner and pageantry of apparel, and the little tincture of arts and letters which was beginning to spread a somewhat fairer hue over the society of France, altogether hid the near approach to equality of the two nations with respect to weightier matters.

Notwithstanding the forebodings of Mary on her arrival, her administration was for several years pru-

\* Brantome, vol. i. p. 123.



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XIV. continued inviolate, without any inquiry into the irregularities of its origin. The revolts against legal  
1561. authority were overlooked ; and an act of oblivion was passed.

During the same period, the Scottish policy of Elizabeth continued to be governed by the same principle of countenancing and encouraging the Protestant party, her natural and necessary allies. Mary's powerful and ambitious uncles were desirous of extending their sway by the marriage of their niece to a Catholic prince. The policy of Elizabeth would disincline her to give that strength to her presumptive heiress which a powerful or able husband would necessarily bestow. But, whatever her inclinations might be, it is not likely that so sagacious a woman would actively pursue a project of perpetual celibacy for a young and beautiful queen. The object, which was perhaps attainable, though with difficulty, was to prevent her wedding a Catholic or a foreign prince. An Englishman was the person whom it would best suit the queen's policy that Mary should espouse. And as Elizabeth had listened without displeasure to the proposal of the States of Scotland, that the earl of Arran should be her own husband, the like tender of the hand of an English subject could not in England be thought derogatory from the honour and dignity of the Scottish queen. Although it was as lawful for Elizabeth to prevent by fair means the accession of Scotland to her enemies through the marriage of its sovereign, as it would have been to hinder their conquest of a country on which the safety of her own dominions depended ; yet her interference to impede the free choice of a husband by her cousin was a policy of a stern and obnoxious sort, requiring much address, and all the mitigations of which so harsh a measure was susceptible. It was necessary that advances should be slowly made ; that

proposals should be suggested before they were avowed; that the temper of Mary should be sounded at every step; and that Elizabeth should sometimes retire quickly from a plan which should appear impracticable or hazardous. It was impossible, in the correspondence of two women on such a subject, that the passions and weaknesses of their sex should not mingle with their policy. If these considerations be kept in view, it will not be difficult to form a judgment on the following summary of the matrimonial negotiation, which will not import grave blame on either of the parties.

The offers made to Mary on the part of the Archduke Charles, of Don Carlos, and other foreign princes, have been narrated at the same time with the proposals made to Elizabeth. Every such marriage of the former was objectionable to Elizabeth for solid reasons of national security. The Protestant nobility of Scotland dreaded a Roman Catholic husband, especially if strengthened by powerful foreign connections. An alliance with any powerful monarch was unpopular among Scotchmen of all parties, as threatening that ancient independence of which a martial nation felt a generous jealousy.

Mary, soon after her return to Scotland, solicited an interview with Elizabeth to cement their friendship, and to settle their differences amicably. The queen of England, however, had concluded a treaty with the prince of Condé, which will be presently more fully considered, for the defence of the Protestants against the cruelty and perfidy of the Guise faction. This naturally induced her to postpone such manifestation of friendship, until an amicable adjustment of the affairs of France should allow her to meet Mary without causing any suspicion that her zeal to resist the house of Lorrain had become lukewarm.

Elizabeth made a nearer approach to the delicate subject of marriage in instructions to Randolph, her

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minister at Edinburgh, the day before he set out on his mission to the north. In these instructions, Cecil, who was the writer, discusses very ably the reasons which ought to regulate the choice of Mary; which he briefly stated to be, 1. The mutual affection of the wedded parties; 2. The approval of her own subjects; and, 3. The friendship of Elizabeth. On this last head Cecil observed, that the queen, his mistress, could not think a foreign match conducive to the end; and he adds, that she disapproved of the means employed [by Mary's uncle the cardinal, of whose practices she was not ignorant] for a husband in the emperor's family. Randolph was farther instructed to say as from himself, by indirect speeches, that "nothing would content Elizabeth so much as Mary's choice of some noble person within the kingdom of England, having the qualities and conditions meet for such an alliance, [yea, perchance, (adds the queen in her own handwriting), such as she could hardly think we could agree unto,] and therewith be agreeable to both queens and both their nations;" or,—as the words are reported by Sir James Melville,—“with whom Her Majesty might more readily and more safely declare and extend the good-will Her Majesty has to cause you to enjoy, before any creature, any thing she has, next to herself or children.” \*

Randolph, some time after, suggested Robert Dudley; on which Mary made some dilatory and evasive answers, and concluded by saying, “I do not look for the kingdom; my sister may marry and live longer than myself; my respect is to what may be for my commodity and the contentment of my friends, who, I believe, would hardly agree that I should embase myself so far as that:” words which seem clearly to imply that favourable terms respecting the succession had been held out if she should consent to the marriage recommended.

\* Melville, *Memoirs* (Edin. 1827), p. 107.



This Robert Dudley was the younger son of the duke of Northumberland, and, consequently, a brother of Lord Guilford Dudley. Writers familiarly acquainted with him represent his person as goodly, his countenance as singularly well featured, and in his youth of a sweet aspect. His high forehead gave a dignity to this soft expression; he possessed the arts, the attainments, and the graceful manners which flourish in courts. Intoxicated by the favour of the queen, his ambition aspired beyond the level of his capacity, either in council or in the field. Placed so near the summit of grandeur, he is charged, on imperfect evidence, with having murdered two wives as impediments on his way to the throne. None of his contemporaries ascribe any merit to him but the shallow and showy qualities of a courtier. The most obvious explanation of the favour enjoyed by such a man at the court of the wisest of queens, must be owned to be found in the weaknesses to which female sovereigns are peculiarly liable. Yet it is not easy to study the virtues or the vices of the English queen without inclining to an opinion, that the same pleasure in the exercise of power, the same pride of rule, the same aversion from subjection which made her impatient of the authority of a husband, would also dispose her to reject the often harsher yoke of an illicit lover. Fancies and preferences, especially in haughty women, do not always become passionate attachments. Female hearts may be touched which will not be subdued; and many pass their lives on the brink of weaknesses into which they never fall. Elizabeth is said to have inherited from Henry the Eighth a taste for handsome attendants on the court. This preference might have been softened by the sex of Elizabeth, without outweighing her sense of dignity, overpowering her hatred of a master, or silencing the voice of moral principle, which, however sometimes disobeyed, was no stranger to her breast.

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As there is no doubt that Dudley aspired to the hand of Elizabeth, he must have professed, and may have felt, a repugnance to a union with the most beautiful and accomplished princess in Europe. A negotiation on the subject continued during the whole of the present year. On condition of its success, it appears that Elizabeth was ready to grant those favourable terms which she had authorised Randolph to hold out; which some writers describe as the adoption of Mary as a daughter or sister, with the recognition of her rights as presumptive heiress to the crown. Randolph, in his despatches from Edinburgh, assured his court of the inclination of the Queen of Scots to marry the earl of Leicester, and the great probability of the successful issue of his embassy. Some historians have, very gratuitously, supposed these negotiations on the part of England to have been insincere, and intended only to prolong the widowhood of Mary, or at least to divert her from a foreign alliance. Undoubtedly the latter purpose always influenced Elizabeth: but can any one seriously believe that, if the Queen of Scots had shown a willingness to wed Leicester, Elizabeth either could with plausibility, or would in prudence, have rejected an arrangement which she herself had proposed, and which placed Scotland under the administration of her most trusty lieutenant? Every political reason pleaded for the real and earnest pursuit of the marriage. She showed that she had herself no purpose to wed Leicester; nor is it reasonable to impute to a politic sovereign the sacrifice of her highest interest to amorous frailties. It is incredible also that she should have been influenced by so chimerical a project as that of perpetuating the widowhood of a queen, for whose hand all Europe was pouring forth competitors. Some plausibility has been given to this supposed delusion practised on Mary by the unexpected backwardness of Elizabeth, at the critical moment, in sacrificing expect-

ations relating to the succession, which her former language had been calculated to excite. But Elizabeth inherited much of that jealousy of pretenders, of competitors, and of heirs, which the Tudor princes had caught from their originally irregular title. This jealousy was confirmed by the revolts against Henry the Eighth; and still more by those religious revolutions, affording alarming proofs how easily established institutions might be overthrown.

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As the prospect of marriage with Leicester vanished, another candidate presented himself, whose appearance was attended by almost instantaneous success. This was Henry Stuart, Lord Darnley, the son of the earl of Lennox, by the Lady Margaret Douglas, daughter of Margaret Tudor, by her second marriage with the earl of Angus. The countess of Lennox was thus the grand-daughter of Henry the Seventh, and followed Mary in the order of hereditary succession to the crown of England. The earl of Lennox was the representative of an ancient branch of the royal family, who had acquired high honour and large possessions by marrying the heiress of the old earls of Lennox, whose origin is lost in remote antiquity. Darnley was born in England, whither his parents had been driven into exile. In the preceding autumn the earl of Lennox had gone to Scotland with letters recommendatory from Elizabeth, in order that he might obtain a reversal of his attainder, and restitution of his honours and estates. It is not unlikely that the English ministers, when they began to doubt the success of Leicester, might have turned their thoughts to Lennox's return as a means of procuring Mary's hand for Darnley. The youth was not formidable, and was a subject of Elizabeth. The residue of his property was in England, where it formed some pledge of his adherence to the English interest. Elizabeth, however, before the reversal was adopted, attempted to dissuade Mary from



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it, lest it might offend the powerful house of Hamilton, the grantees of Lennox's estates. The extreme displeasure of the latter at this dissuasion seems rather to indicate that the proposal had originated in the court of Scotland; and an attempt of Elizabeth, some years before, to promote Lennox's restoration, leads to the inference, that though some other motives may have concurred, yet her principal object was to do an act of good nature by the Lady Lennox, the nearest kinswoman of both queens. That it was an artifice contrived by Elizabeth to embroil the marriage with Dudley, by the interposition of a new competitor, is an assertion without and against proof. There is the fullest evidence that the English government solicited and desired that marriage seven months afterwards. Lord Darnley followed his father to Scotland. "Her Majesty," says Sir James Melville, "took well with him, and said he was the lustiest\* and best-proportioned lang man that she had seen; for he was of high stature, lang and small, even and brent up†; well instructed from his youth in all honest‡ and comely exercises." § Elizabeth and Melville smiled at the effeminacy, perhaps also at the ignorance and incapacity, of the beardless stripling. But Mary, after a moment's displeasure, or affectation of it, at the presumption with which he offered himself, liked him better the more she knew him. This would have been more honourable to her if his attractions had been more refined, and if she had not remarked his animal beauties with too critical an eye. She determined to marry him. He betrayed partialities for the Catholic party so imprudently as

\* Handsomest. See Johnson and Jamieson, with the authority of Spenser.

† Straight, even.—*Jamieson*. A word of difficult derivation.

‡ Becoming his station. Sir J. Melville, from early and long resi-

dence in France, complains that he had forgotten his mother tongue.

"La Comtesse sa mère lui ayant fait apprendre à jouer de luth, à danser, et autres honnêtes exercices."—Casteinau, liv. v. c. 12.

§ Melville, p. 134.

soon to rouse both the queen of England and the Scotch Protestants against the union. Randolph, the English resident, cautiously insinuates his suspicions of Mary's rising passion within a fortnight of Darnley's arrival. The earl of Argyle, a zealous Protestant, expressed great apprehension of his progress. Moray said that the match would be followed by unkindness to England, and deeply regretted it. A rumour was prevalent that Moray was about to leave the court, displeased at the more open parade of Catholic rites, which his prudence had prevented so long as he had enjoyed his sister's undivided confidence.\* "My suspicions," says Randolph, "are bitterly confirmed. Many with grief see the fond folly of the queen. The godly [the Protestants] cry out, and think themselves undone. All good men see the ruin of their country in the marriage with Darnley." In this temper of all the Scotch friends of the English connection, Maitland, who had been despatched to England to desire Elizabeth's consent to the proposed marriage, could not expect much success in his errand. The English Council were alarmed, and letters were despatched to recall Lennox and Darnley from Scotland; and resolutions were adopted which, notwithstanding their somewhat pedantic arrangement, with a sprinkling of rhetorical diction, are not only admirable models of our ancient language, but pregnant proofs how high Cecil, who was the writer, ought to be placed among the first class of statesman. They are remarkable also for a frankness and overflowing good faith, which avows all the motives of the actors without trusting any part of them to insinuation, and circuitous or ambiguous phraseology. The substance of these resolutions was, that the marriage of the Queen of Scots with Lord Darnley would be dangerous to the Protestant religion; that it would strengthen the league of Catholic princes, which now

\* MSS. State Paper Office.

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visibly threatened Europe ; that it was big with peril to the title by which Her Majesty held the English throne ; that the performance of Mary's promise to renounce her pretensions to England had been for nearly six years evaded ; that, as nothing but force, or the fear of force, could now prevent the marriage, the whole Council agreed that it was lawful and necessary to provide for the safety of England, by strengthening the fortifications and reinforcing the garrison of Berwick ; and that the wardens of the borders should be prepared at an hour's notice, either to defend their own frontier, or to invade Scotland. On the latter measure alone there was a difference of opinion, some being indisposed to actual warfare. When it became evident that Mary was resolved to cut short negotiation by hurrying on her marriage, Throgmorton was instructed, in case of the failure of his attempts, to persuade the nobility and the Scottish Protestants generally to withstand the marriage, unless Darnley should promise to adhere to the Reformed religion, which he had openly professed in England.

In the mean time, Lord James Stuart, the undisputed chief of the Reformed party, who had been created earl of Moray, withdrew from court, as a testimony against a union fraught, in his judgment, with destruction to his country and to his faith. Seldom, in so turbulent a country ruled in the name of a young woman, and but just escaped from civil war, has an administration been conducted with such firmness, or been attended with such signal success, as that which Moray guided during a critical period of four years. The reputation of Mary's government, we are told, was spread over all countries. His firm and equal hand had reduced the Highlands and Borders to an obedience unknown for centuries. As the Protestants entirely and justly trusted Moray's zeal for their religion, he was enabled to temper their fanaticism, and to prevent at least its breaking out into



civil war. He appears to have conducted himself with spotless faith towards his sister, and to have obtained a degree of quiet which no other Scotsman could have ensured. The queen was not insensible of his fidelity, nor of the influence of his name. She had commanded him to repair to her at Stirling, where, in Darnley's chamber, she earnestly besought him to subscribe a writing in which the marriage was recommended. She repeated her importunities for two successive days, appealing to him as a Stuart; and imploring him to assist her attempts to execute the will of their father, King James, whose earnest desire it had been to keep the crown of Scotland on the head of a Stuart. He desired time to consider proposals thus urgently pressed; alleging the unreasonableness of such a writing without an assembly of the peers; adding, however, that he disliked the marriage, because he feared that Darnley would be an enemy of true Christianity. "Hereupon arose an altercation in which the queen gave him many sore words. He answered with humility, but nothing could be obtained from him."\* In Mary's letter to Elizabeth which followed, says Sir Nicholas Throgmorton†, "there neither wanted eloquence, anger, despite, nor passionate love." The banns of an ill-fated union were published: Darnley was promoted, on the same day, to the dignities of duke of Albany and earl of Ross; and the queen, under the influence of her headlong passion, bestowed her hand on an undeserving favourite. The nuptials were solemnised according to the rites of the Church of Rome; though Darnley withdrew during the celebration of the mass. The English minister describes the insolence of the simpleton intoxicated by his triumph: "He rather seems to be a monarch of the world, than he whom we have seen and known as Lord Darnley."‡ Meanwhile Thomworth, a

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\* Keith, Historical Catalogue, p. 160.

† Despatch to Leicester, 11th May, 1565.

‡ Randolph, 31st July. Ellis, vol. ii. p. 200.

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gentleman of Elizabeth's household, was despatched to Edinburgh, with instructions to threaten Mary, if she should practise aught for the overthrow of the Reformation in England; and to warn her more amicably against attempting to change the Established Church of Scotland. In her answer, it seems doubtful whether Mary promises to abstain from promoting a religious counter-revolution in England. But with respect to Scotland, her remark was\*, "that she has made no innovation, nor means to do any thing therein, but what shall be most convenient for the state of Her Majesty's self and her realm, and that by the advice of her good subjects;" words so vague as to admit of any meaning which it might suit the Scottish queen to give them, and which seem to have been chosen to evade satisfaction to the Protestants of Britain, rather than to abate their apprehensions or allay their just resentment. Thomworth was also instructed to expostulate with Mary on her displeasure against the earl of Moray. This was answered by a desire that there might be no meddling in the internal affairs of Scotland. The disfavour of that statesman concerned the peace between the two kingdoms, and the quiet of all British Protestants, as essentially as treaties or laws. His ascendancy in the queen's councils was a pledge of friendship to England, of safety to the Scottish Reformers, and of some moderation towards the Catholics themselves. He alone was able to protect the tranquillity of his sister, by balancing the ascendancy of Knox, and in some measure by mitigating the spirit of that upright and sincere, but stern and fierce Reformer.

The breach between the court and the late prime minister was a signal for the formation, or invention of

\* Thomworth's instructions, 30th July. State Paper Office. Published with Mary's answer, but without dates (Keith, Appendix), p. 99. The answer contains no specific

words about religion in England; but a note, without title or subscription, written on the same paper with the MS., is more explicit.

conspiracies, by each of the incensed factions against the other. Moray was charged with a plot to carry off the queen into England. The Catholic lords were as loudly accused of a design to murder Moray. The lords of the congregation took up arms; but their unprepared and ill-concerted movement having been easily quelled, they were compelled to fly for refuge into England. Elizabeth had determined on withholding from them any aid which could afford a just cause for war. She even obliged them to make disavowals of having been encouraged by her; a species of disclaimer which passes, in the language of sovereigns, rather for apology than denial. In this case it was, doubtless, intended to dispose Mary to pardon them. The latter declared to Randolph, that she would rather lose half her kingdom than show mercy to Moray.\*

As no personal offence was alleged, this extravagant language could only be considered as proof of her determination to take part in that confederacy for the extirpation of Protestantism called the Holy Alliance, which had been formed at Bayonne, in the nightly interviews of the duke of Alva with Catherine de Medici. Randolph had discovered that Mary of Scots had subscribed this league; which was then compared, for the sweeping extermination which it threatened, to the famous massacre called the "Sicilian Vespers." Alva sufficiently showed that it spared no rank or station, by coolly saying, that it was childishness to fish for frogs, when a single salmon's head was worth thousands of them. It had been sent from Paris by two messengers; by Thornton, from the archbishop of Glasgow, Mary's minister; and by Clernau, from her uncle, the cardinal of Lorraine. She was to retain a copy of it;

\* Randolph to Elizabeth, 8th Nov. 1565. MS. State Paper Office. It is clear, from the dates of the two despatches, that Mary's passionate

language was an answer to the application which accompanied the particulars of Moray's submission or disavowal.



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but to return the original, subscribed with her own hand, by a messenger of her own, named Wilson. De Villemonte, another messenger, was sent to her shortly after, to stay her from agreeing with the banished lords, "because that all Catholic princes were banded to root the heretics out of all Europe; which unhappy message hasted forward divers tragical accidents." \*

Mary, however, needed not these incentives. The Cardinal of Lorrain had, nearly three years before, made known her disposition and determination to the representatives of the whole Catholic Church. That prelate had read her letters to the Council of Trent, in which she professed her submission to the authority of the sacred assembly, and promised, if she succeeded to the throne of England, that she would subject both kingdoms to the Apostolic See. It appears that, at a still earlier period, she had secretly excited the insurrection of the earl of Huntly, that he might take her out of the hands of Moray. The Catholic insurgents carried their hostilities so far as to oblige her to vanquish them in battle, and to consent to the execution of some of their leaders. The earl of Huntly was himself trampled to death in the decisive battle of Corrichie. One of his sons was executed at Aberdeen three days after. Another son, George, was convicted of treason; but, after three years' imprisonment, was released from confinement, and raised to the office of chancellor, without waiting for a reversal of his attainder; as if to proclaim more loudly the impatient eagerness of the queen to manifest her enmity to her Protestant subjects. She had been unfortunately advised by her uncles to treat Huntly as the most powerful among the Catholics; and, at the time of the insurrection, to hold out hopes of her hand to John Gordon, his second son. On her journey northward on that occasion, when solicited to suppress the Roman Catholic worship, she

\* Melville, p. 147.

angrily answered, that she hoped, before a year was expired, to have the Mass restored throughout the whole kingdom. The indiscretion which thus alarmed the Scottish people and the English government peculiarly unfitted her to be the tool of the subtle project which had been suggested to her in France. There she had been advised to affect confidence in the earl of Moray, and not to lay aside the mask until the European confederacy should be ready to co-operate; while she was also warned never to cut off all ties with the Catholics, her only assured friends. Mary had learned, in the school of Catherine de Medici, to dissemble for a short time, and for an immediate object; but the qualities of her sex, and the habits of her station, rendered long dissimulation painful, and disposed her to yield to the impulse of every passion. Her sallies, generally pointed and animated, were circulated among the people, who considered them as proofs that all she did for the Protestants was intended to deceive them, and felt towards her therefore the bitter anger inspired by an insult to the understanding.

Another incident embroiled the affairs of Scotland. David Rizzio, a Piedmontese musician, who had come to Edinburgh in the train of the minister of Savoy, having been introduced into the palace as a performer in the royal band, soon ingratiated himself with the queen, and was appointed her private secretary. The ease with which he wrote French seems originally to have recommended him to the appointment. He promoted Darnley's marriage; and, whether actuated by his own zeal, or prompted by advice from the princes of Lorraine, contributed to the re-establishment of the Catholic party in power. He obeyed the instructions of the house of Guise to counteract the interposition of England in behalf of the banished lords. Darnley's subscription was engraved on a signet, and the custody given to the upstart alien, with leave to employ it.

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"David," says Randolph, "now worketh all, and is governor to the king."\* To every man intoxicated by sudden elevation, much of the resulting enjoyment depends on the parade of his promotion. Rizzio gave general offence by his insolent display of favour. He affected to show writings to the queen, and to whisper in her ear, at levees crowded with the nobility. Even Moray himself "sued David earnestly, and more humbly than could be believed, with the present of a fair diamond," to obtain restoration from exile.† When the queen desired Melville to befriend David, he urged her to pardon the lords; and observed to her, that there was danger from unhappy reports of which she could not be ignorant. The mention of these reports was followed by a conversation with Rizzio, in which Melville, with his accustomed frankness, warned the minion of his peril. But Rizzio disdained counsel, and despised danger. Jealousies of every sort tore asunder Darnley's disordered mind. He was conscious of having disgusted the queen by intoxication, and by the brutal language which it pours forth. Though utterly incapable of the conduct of affairs, he could not brook the insignificance to which he felt himself reduced by the unbounded favour shown to the foreigner. A jealousy of a lower kind, whether grounded on scandalous rumours, or whispered by designing men, or suggested by his own grossness, began to haunt a mind conscious of offences against Mary, and prone to ascribe to the impulse of passion every mark of favour shown by a woman.

The lords of the Council, at this time, were Huntly, Bothwell, and Athol; all either Catholics or favourers of the Catholic party. They, with the aid of Rizzio,

\* Randolph to Cecil. "David 3d June, 1565. State Paper Office is he that now worketh all, chief MSS.  
secretary to the Queen of Scots, and † Melville, p. 147.  
only governor to her good man."—



dissuaded Mary from yielding to the entreaties of Elizabeth, or the counsel of Melville, that she should pardon so powerful a body of nobles as those who were then exiles in England. The banished lords, who had taken up arms on the principle of resisting the queen's marriage unless their religion was established by law, required the ratification of the acts of the convention, in order to secure to the Reformed Church the privileges which it had practically enjoyed for six years. The leaders were the duke of Chatelherault, the earls of Moray, Glencairn, and Rothes, the Lords Boyd and Ochiltree, with ten of those considerable landholders called "lairds," a term which agrees with the English "lords," though slightly varying in pronunciation and writing, who at this time sat in parliament only as commissioners from the inferior barons, but who still differed from the peers more in privilege than in honour. These gentlemen, the best of their time, were joined by interest in unnatural union with the worst offspring of civil confusion; with Morton, a profligate though able man; with Ruthven, distinguished even then for the brutal energy with which he executed wicked designs; and with the brilliant and inconstant Lethington, admired by all parties, but scarcely trusted by any. In the measures of all numerous bodies, especially in those seasons of commotion and peril which render every succour welcome, the good are often compelled to endure the co-operation of the bad. In this case the exiled friends of the Reformation, of whom many were as irreproachable as intestine war will suffer men long to continue, must not be held to be guiltless, even though the deplorable scenes which ensued should be directly ascribed to the depravity of their associates, or to the accidents which usually attend lawless broils. The earl of Lennox was indignant that the influence of his son should be eclipsed by the favour of Rizzio. Darnley himself betrayed symptoms

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of being goaded by passions more clamorous and rancorous than political jealousy. Lennox advised him to sacrifice his antipathies, and to seek the means of revenge in a coalition with the Protestants. The ungoverned youth accordingly sent Douglas, his uncle, to Lord Ruthven, to complain that Rizzio had abused the king in many sorts, and done him wrongs which could no longer be borne. The latter, fearful that the blandishments of Mary might extort secrets from her simple husband, refused to answer. "It is a sore case," said Darnley, "that I can get no help against this villain David." "It is your own fault, you cannot keep a secret," said the other. Then the king swore on the Gospels that he would not betray Ruthven. That crafty assassin still seemed to hesitate; but this hesitation ceased when he had obtained Darnley's assent to a treaty with the exiles, in which he promised to obtain for them a general amnesty, and the continuance of the Reformed faith. They were to be friends of his friends and enemies of his enemies, and were to support his right of succession as next heir after the queen and her progeny. Before the final conclusion, Darnley was obliged to quiet the apprehensions of the murderers by a written instrument; a sort of effrontery seldom known but in that fierce age. By this, after declaring the necessity of cutting off and slaying certain persons who had abused Her Majesty's confidence, Darnley bound himself to save his accomplices harmless for the execution of David, declaring that what was to be done was his own device and invention. This writing (which, perhaps more explicitly than any other known document, avowed its object to be murder) was subscribed by the parties; and within a week after, between seven and eight o'clock in the evening, in the palace of Holyrood House, it was carried into execution. Perhaps it was hastened by the impatience and impotency of Darnley, as well as by the approach of the

parliament, which had been summoned to meet for the attainder of the lords.

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On the night in question, Darnley conducted Ruthven and the other assassins by his private staircase into a small room where the queen was at supper with Rizzio, her natural sister the countess of Argyle, and some other favourites. Ruthven had risen from a sick bed, to which he had been for three months confined by a painful, and, as it soon proved, a mortal illness. He was cased in armour ; though he could only come into the apartment with the support of two men. The paleness of his haggard countenance, flushed by guilty passions, formed a gloomy contrast with the glare of his helmet. Rizzio had his cap on his head as Ruthven entered. Darnley hung on the queen's chair with his hand round her waist. The unhappy lady was already in the sixth month of pregnancy. Ruthven called to her, "Let Rizzio leave this privy chamber, where he has been too long." "It is my will he should be here," was the reply. "It is against your honour," answered Darnley. "What hath he done?" said the queen. "He hath offended your honour," replied Ruthven, "in such a manner as I dare not speak of." Mary rose ; and Rizzio ran behind her, laying hold of her gown. Ruthven lifted her up, and placed her in the arms of Darnley, who disengaged the victim's hands from the hold which he had taken. Several persons now rushed in, oversetting the table with the supper and lights. Rizzio was pushed out to the antechamber ; in which he fell under fifty-five wounds, in one of which Darnley's dagger was found, whether employed by himself or one of his accomplices is neither certain nor important. Ruthven is said to have aimed one of the stabs at the victim over the queen's neck. Seating himself, he called for a cup of wine, and, upon a spirited reproof from Mary, appealed to his illness as an excuse. Though worked up by the deed into a ruffianly paroxysm of vigour, he



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speedily relapsed into the feebleness incident to his malady. Ruthven expired about two months afterwards, leaving behind him a narrative of his crime, written in a tone of calm impartiality, without, however, as would appear, betraying a glimpse of compunction. During the tumult the queen remained long in the closet, interceding for her favourite, who was probably already dead. She asked her husband how he could be the author of so foul an act. The recrimination was too coarse for historical relation. "It was," he said, "as much for your honour as for my own satisfaction."\* The nature of her defence; her retort on Ruthven; her unnatural assent to Darnley's desire of resuming all the usual exterior of living together, are conclusive proofs that the highest-born beauties of the court of Catherine de Medici threw but a thin veil over their frailties, deporting themselves with so little delicacy as to render jealousy excusable at least. After this offensive conversation, she sent one of her ladies to learn the fate of Rizzio. The messenger quickly returned with tidings that she had seen him dead. Whereupon Mary, with a spirit that never forsook her, said, "No more tears; I must think of revenge." She wiped her eyes, and was never seen to lament the murdered man. To complete the narrative of an event sufficient to dishonour a nation, and to characterise an age, it may be added, that the earl of Morton, chancellor of Scotland, had commanded the guard who were posted at the entrances of the palace to protect the murderers from interruption.

Bothwell and Huntly, the most obnoxious of the Catholic ministers, made their escape the night of the murder. Soon after the banished lords returned to Edinburgh. On the entrance of Moray into the palace,

\* "This we find for certain, that the king had entered into a vehement suspicion of David having committed something which was most against the Queen's honour, and not to be borne by her husband."—Letter from Bedford and Randolph. Ellis, vol. ii. p. 208.

Mary embraced and kissed him, declaring "that if he had been at home, he would not have allowed her to be so discourteously handled; which so moved him that the tears fell from his eyes." \* She informed the archbishop of Glasgow, that "Moray, seeing our condition, was moved by natural affection towards us." † The attractions of Mary prevailed over the fidelity of Darnley towards his accomplices. She obtained the discharge of the guard under the specious pretext of showing the liberty of the king and queen after their hearty reconciliation. He submitted to disavow in public whatever he had written or sworn; and she carried him towards Dunbar, after stealing out of Holyrood House at midnight.

The particulars of the remainder of this year belong to the historians of Scotland. To us only pertains such an account of them as may explain the policy of England, of which the ascendancy of the Protestant party in Scotland continued still to be the object. The birth of a prince was deemed by Moray and Castelnau an event sufficiently auspicious to be likely to revive the habits of conjugal intercourse between the queen and her husband. The reconciliation was, however, only apparent: the just indignation of Mary continually broke out. "I could perceive nothing," said Melville, "but a great grudge that she had in her heart. He moves about alone; few dare to bear him company." The unpopular influence of Bothwell increased. He, with Huntly and the bishop of Ross, laboured to undermine the reviving ascendancy of Moray, the sole stay of public quiet. Darnley complained to his wife that he was not trusted with authority; that no one attended him; and that the nobility shunned his society. "Bothwell," says Killigrew, the new English minister, "is thought, and said, to have more credit with the queen than all the rest. Leslie, bishop of Ross, doth manage

\* Melville, p. 150.

† Keith, p. 332.

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all her state affairs.”\* Such was the displeasure of the contemptible youth, Mary’s husband, that, in his despair, he conceived the wild project of leaving Scotland. He had actually prepared a vessel to convey him to the continent, either to appeal to the compassion of foreign princes, or to escape from the odium which surrounded him. The earl of Bedford informed Cecil, that “the king and queen agree worse than before. She eateth seldom with him, and does not keep company with him; nor loveth any such as love him. It cannot, for the sake of modesty, nor consistently with the honour of a queen, be reported what she said of him.”† Darnley came to the queen at Edinburgh, to make known to her his chimerical scheme. He refused to enter the palace, finding that she was in council with three or four lords. She, however, condescended so far as to meet him without it, conducting him to her own apartment, where he passed the night. After much conversation, in which he denied that he had any discontent, he said, “Adieu, madam; you shall not see my face for a long time.” A project so absurd died out of itself. Meantime, Mary was giving suspicious marks of her partiality for Bothwell, in the course of journeys towards the borders, of which he was warden. Bothwell having been wounded in one of the accustomed affrays by a laird named Elliot, Mary made a journey of twenty miles on horseback to visit him; returning the same day to Jedburgh. It was then generally suspected that her visit had been prompted by passion, and her return hastened by shame. The day after her return, she was seized with a dangerous fever, the consequence of her late exertion. Bothwell came to her as soon as he could travel. “Darnley followed her about,” says Melville, “wherever she went; but he could get no good countenance.”‡ “As soon,” says a contemporary writer, “as he under-

\* 24th June, 1566, MSS. State Paper Office.

† Robertson, Appendix, xvii.  
‡ Melville, p. 173.



stood her visitation, he addressed himself with expedition towards her, although he was not welcomed as was fit."\*

Mary, on her recovery, went to Craigmillar Castle, near Edinburgh, where she showed such marks of despondency and depression as often to cry out, "I wish that I were dead."† The lords who attended her had so little doubt of the cause of this despairing language, that they proposed their assistance in obtaining a divorce. In answer to Maitland she said, that she might consider such a proposition, if it were to be carried on lawfully, and without prejudice to the rights of her son. "Think not," said the minister, "that we, your principal nobles, would not find the means to be quit of him without damage to the prince; and though my lord of Moray be little less scrupulous for a Protestant than your grace is for a Papist, I am sure he will look through his fingers to our doings, saying nothing to the same."‡ Mary hinted at scruple and reluctance. The other concluded, "Let us guide the matter, and you shall see nothing but what is approved in parliament." This conversation was natural, if applied in its literal meaning to a legal divorce, which it was commonly believed that Thornton had already been sent to solicit at Rome. That it related solely to such a proceeding, is apparent from the number of persons who were present; from the scruples spoken of, as founded on two opposite sys-

\* Historie of James VI. (Edin. 1825). Crauford of Drumsoy, historiographer of Scotland in the reign of Queen Anne, had so falsified this work, to suit the politics of a Stuart reign, as to render his publication of it in all important particulars a forgery; which was indeed intimated by Keith, and almost owned by Whitaker; but was first completely detected by my excellent friend, Mr. Laing. Mr. Chalmers's observations on the delay of a few

days in the journey to Hermitage are very satisfactorily obviated by the account of this writer. "Understanding the certainty of this accident, she was so highly commoved in mind, that she took no repose in body till she saw him." P. 2.

† Le Croc, Despatch, 2d Dec. 1566.

‡ Keith, App. p. 138. This is the account laid by the queen's friends, Huntly and Argyle, before Elizabeth.

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tems of religion; and from the reference to a parliamentary ratification. It was necessary, for the honour of the queen, that the proposition to which she patiently listened, and to which she annexed serious conditions, should be in its nature innocent. Mary's objection to a legal divorce was, by either system of religion, very forcible. On Catholic principles, there could hardly be any dissolution of the marriage except as a consequence of a sentence pronouncing its original nullity, which would bastardise the prince; while, according to the creed of the Scottish Reformers, a divorce, allowing the innocent party to marry, was scarcely allowed; the capital punishment of the offender being proposed as a preferable remedy. It is not credible indeed that men of sound mind, however depraved, should, so soon after a hurried and superficial reconciliation, trust each other so far as to consult together about a project for the most hazardous of murders. In order to make Moray a party to a black project, blind zeal has represented this conversation as a proposal to put Darnley to death, without adverting to the improbabilities now mentioned, and without considering that such a supposition brings on the queen the imputation of having patiently listened to a plan for the murder of her husband.

But the above conversation, though it did not contemplate violence, is a decisive proof of the daring hopes of Bothwell, and of the irrecoverable alienation of the queen from her undeserving husband. Le Croc despaired of the restoration of a good understanding between Darnley and Mary, without a special interposition of Providence. "The king," says he, "will not humble himself enough; and the queen cannot see a single nobleman speak to him without suspecting a contrivance." \* The baptism of the young prince was performed at Stirling, with due solemnity and magnificence,

\* Le Croc evidently ascribes the estrangement as much, at least, to the queen as to Darnley.

before the earl of Bedford, who had been sent by Elizabeth, and the count de Brienne, chosen by Charles the Ninth, to represent their sovereigns at the august ceremony. Darnley alone, though mocked with the royal title, was excluded from the christening of his son, by the discouraging treatment which he received from the queen, and the universal alienation of the nobility. He desired an interview with Le Croc thrice on the day of the baptism; but the latter answered, that, "seeing he was in no good correspondence with the queen, he was instructed by the most Christian king to have no conference with him."\* While Darnley was thus degraded in the eyes of his country and of Europe; while he was treated as one who had forfeited the outward distinctions of a husband and a father, to say nothing of his dignity as titular king, Bothwell was chosen to receive the two ambassadors, and to direct the ceremonial of the christening. This choice, however, displeased the nobility. Darnley left Stirling privately, and without taking leave of the queen, to take shelter from such public affronts in his father's house at Glasgow. The queen passed the festive season of Christmas between Drummond and Tullibardine castles, situate in the neighbourhood. On her hearing, however, that her husband had been attacked by small-pox, she sent her physician to him.†

The visit which Mary at length made to Darnley occurred at a remarkable moment. Her first recorded separation from Bothwell was in the end of January of the new year. About the twentieth of that month, we learn, from Lord Morton's dying confession, that Bothwell went to Whittingham, and proposed to Morton to take part in the murder of the king. The latter refused to do so without a written order from the queen, from

\* Le Croc's despatch, 23d Dec. 1566. cal practitioner in Scotland.—Scaligerana, p. 236.

† There was then only one medi-



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whom Bothwell alleged that he had verbal authority to propose the crime. On the above day Mary spoke to her minister at Paris of her husband in the following terms : — “ For the king our husband, God knows our part towards him, and his behaviour and thankfulness are likewise well known to God and the world. Our subjects see it, and in their hearts doubtless condemn it.”\* Within a day of thus writing she went to Glasgow, to persuade her husband to accompany her to Edinburgh, necessarily with the appearance of reconciliation, and probably with superadded professions of affection. It may be doubted whether there is any instance of heartfelt forgiveness by a proud and beautiful queen, who had suffered such indignities as had poured on her. But if Mary’s husband had really abstained from retaliation, silencing vindictive passion, the merit of her magnanimity would have been rather tarnished than brightened by an affectation of tenderness towards the assassin of her minister and the slanderer of her own honour. Such forgiveness was rendered the more difficult to be believed by the innumerable proofs which she had given of her displeasure. If she ever remitted her dissatisfaction, it seems only to have been when she had a purpose to serve. Within a few weeks of the day when the French minister had pronounced her resentment to be inflexible, she evinced symptoms of reconciliation with her husband. If she was only feigning for sinister purposes, the striking appearance of hypocrisy in her conduct renders her the most unfortunate of women. Her fault would have no extenuation ; and the only excuse for speaking of her in lenient language must be found in the glimpse of her succeeding misfortunes which shoots across the story of her transgressions.

On the 31st of the same month, Mary brought her husband to Edinburgh. Representing Craigmillar as too distant, and Holyrood as too noisy a dwelling for

\* Keith.

an invalid, she placed him in a solitary mansion, called the "Kirk of Field," situated to the south of the city, not far from the spot which the south-east angle of the university now occupies. Here Mary paid him frequent visits, causing a bed-chamber to be fitted up for her own use. On the evening of the 9th of February following, attended by Bothwell and other courtiers, she remained there till after ten o'clock, when she returned to the palace to be present at a masque which she gave on occasion of the marriage of Margaret Carwood, one of her attendants, to Bastien, one of her French servants. Between two and three o'clock in the morning the inhabitants of Edinburgh were suddenly awakened by a tremendous shock, as it seemed to them, of an earthquake. As soon as day dawned, it was discovered that the king's house had been blown up, and his body carried to a short distance from it, where it was found without any external marks of violence.\*

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The day following the murder, the Privy Council published a proclamation, offering a reward of two thousand pounds to any one who could discover the perpetrators of the deed. A placard was affixed on the walls throughout the city charging Bothwell with the crime, and expressly accusing Mary herself as an accomplice. The accusers were required to come forward. Accordingly James Murray, a brother of Sir William Murray, of Tullibardine, stepped forth; re-

\* The first account (Mary to the Archbishop of Glasgow, 11th Feb. 1567) ascribed the death of Darnley to the explosion. It was afterwards thought more probable that he was suffocated, and the body carried out before the explosion; which was designed to conceal the manner of his death. Mr. Hume inclines to the former opinion, which has the difficulty of supposing that a body

thrown on the ground by such a shock should have received no outward hurt. On the other hand, it does not seem that the explosion could conceal the suffocation, or indeed answer any purpose. Perhaps the most reasonable explanation is, that some part of what is attributed to deep design ought to be ascribed to the confusion incident to a criminal enterprise.

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plying, in a second placard, that he was ready to appear on the following Sunday, with four witnesses, if the money were deposited in safe hands, and if Bastien and Joseph Rizzio, two of the queen's servants, were apprehended and committed to prison. So immediate was the outcry against Bothwell, and so early did it extend to his patroness. The council thought it prudent not to risk an answer. The unhappy father wrote a letter to Mary demanding the trial of the murderers, and requiring the apprehension of Bothwell, with his alleged accomplices, Balfour, Chalmers, and Spence; to whom were added Bastien and Joseph Rizzio. In the reply of the latter, after passing over in silence the requisition to commit the accused, the queen informed Lenox that the trial would take place on the 12th of the ensuing April, or within fourteen days afterwards. The custom of the time, however, required forty days' notice to be given to all parties in cases of trial for high treason. A fortnight, therefore, was all that was left to the father to prepare for the prosecution. Bothwell, their suspected leader, was meanwhile sitting in the council which appointed the above-mentioned day, living openly in the royal palace. Those of the queen's servants who were publicly charged as his accomplices were allowed to go at large. There seemed little hope of there being even a semblance of justice in an investigation so hurried and against culprits so powerful.

Yet Mary was not left without warning. Her faithful servant, Archbishop Beaton, in a letter to her from Paris (which must have been before her when she fixed the day of the collusive trial), addressed her in language of affectionate fervour, to the following effect:—"Madam,—You are wrongfully calumniated as the prime mover of all the evil done in Scotland, which is said to be by your command. From what your Majesty writes to me yourself, I can conclude nothing but that,



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since God has preserved you to take a rigorous vengeance, if it be not actually taken, it appears to me better in this world that you had lost life and all. Alas! madam, all over Europe there is no subject so common as your Majesty and your realm; and it is for the most part interpreted in the most sinister sense. I beseech you to establish that reputation which has hitherto prevailed of your virtue: otherwise I fear that this is but the first act of a tragedy; which I pray God to avert.”\* Had it been possible that a woman of Mary’s understanding had been only an instrument in the hands of her secret enemies, the honest voice of her faithful servant must have awakened her to a sense of her danger. The news of the murder had been accompanied to London by the imputation of the crime to Bothwell. The unexpected reserve of Melville, the Scotch envoy, excited suspicion among the English ministers. Cecil wrote to the English ambassador at Paris that rumour in Scotland implicated Bothwell, and that the Queen’s name was not spared. Upon an application from Lenox to Elizabeth that she would interfere to see justice done, that princess, when she discerned that there was an intention to defeat his just resentment by a pretended trial, addressed a letter to her Scottish sister, which does credit to the writer, and aggravates the guilt of her to whom it was written in vain:—“For the love of God, madam, exert your prudence and sincerity, so that the world may with reason clear you of a crime so enormous that, if you were guilty, it would degrade† you from the rank of a princess. Speaking to you as I should to a daughter, I

\* Keith, Preface, p. 9., somewhat modernised, and with the omission of what seems unimportant.

† The letter is written in French. The word rendered “degrade,” is “esboyer;” which, according to an

ancient French dictionary, is derived from “boyaux,” and must have signified ejection, in a coarse sense. But how far its original grossness may have been mitigated by the usage of that age, it is impossible now to determine.

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declare that I should rather prefer for you an honoured grave than a spotted life.”\* Nor was this all. Of Mary’s friends, the most experienced and sagacious was Melville, “true to his *queen*, but not a slave of *state*,” who, of all the writers of that age, has made the nearest approach to impartiality. Though too honest to deny his belief in Mary’s guilt, his conviction, which was proved sufficiently by his silence, did not extinguish his loyal attachment. He showed her a letter from Bishop, one of her most zealous partisans in England, in which it was said, “that it was rumoured that she was about to marry Bothwell, the murderer of her husband; which he could not believe, by reason of her noble wit and qualities. If she marries him, she will lose the favour of God, her own reputation, and the three kingdoms of England, Scotland, and Ireland.”† Maxwell, Lord Herries, also a chivalrous royalist, who subsequently kept the field for his deposed sovereign in her most adverse fortunes, at this crisis proved still more his inflexible attachment by tendering wholesome but unacceptable counsel. Throwing himself at her feet, he told her of the reports that Bothwell had murdered the king, and that she was about to marry the murderer; and implored her to remember her honour and dignity, and the safety of the prince, her son, which would all be in danger if she married the earl. Lastly, the court of France saw so clearly her ruin approaching, that they despatched Villeroi to wean her from her passion for Bothwell, by the lure of other alliances.

In spite, however, of the English Queen’s expostulations, unmoved by the affectionate entreaties of Beaton, untouched by the generous fidelity of Herries, deaf to

\* Elizabeth to Mary, after alluding to her letters by Le Croc about three weeks before, which, from the allusion, must have been of the same

tendency, though perhaps less decisively expressed. Robertson, Appendix, xix.

† Melville, *ibid*.

the sage counsel of Melville, without regard to the general indignation of Scotland, England, and Europe, Mary persisted in her self-willed course, with an obstinacy which only passion could have begotten, and which there are not many examples of the strongest passion having inspired. On the day appointed, the shameless mockery of Bothwell's acquittal was transacted, after a protestation on the part of the prosecutor, that he had neither had time to collect evidence, nor assurance of safety if he had attended; the jury also declaring that they could not be answerable for their verdict, as no prosecutor had appeared, and no witnesses had been called. Two days after (only two months after the murder), Bothwell bore the sword of state before the queen at the opening of Parliament. This assembly laboured to give popularity to the government by a general toleration of Protestants; but at the same time deprived the earl of Mar of the governorship of the castle of Edinburgh, to place it in hands believed to have been imbrued in Darnley's blood. The murder of this ill-fated person was passed over in profound silence; whilst it was made an offence punishable with death to write or affix placards connecting the queen with that event. This last enactment, after the reference of Lenox to the placards, was in effect an act of indemnity for the murder, and an edict of proscription against the prosecutors.

Lenox, considering himself as no longer safe at home, fled to England. Moray, slow to oppose his sister, and incapable of countenancing her desperate measures, obtained leave to go abroad. He went to France before the meeting of Parliament; an unanswerable proof that he had then formed none of the ambitious designs afterwards imputed to him. If he had harboured such, so sagacious a man would never have left his opportunity to be snatched by others. That he preferred France to England, is also a conclusive cir-



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cumstance; for in France he was liable to be detained by the Guises, if they had deemed such a step necessary for the safety of their niece.

On the evening of the day of the dissolution of the same Parliament, Bothwell, after supping with a considerable body of the nobility and gentry at a tavern, declared that the queen desired an assurance from them that her marriage with him would be supported by their order. Considering this declaration to convey the royal commands, the meeting subscribed a bond by which they signified their consent to the marriage, binding themselves to maintain it. The majority, who were of Bothwell's party, acted conformably to their interests; but the few Protestants present must have been actuated by a base fear, or a baser servility.

Three days afterwards, Bothwell, at the head of one thousand horse, overtook the queen on the road from Stirling, and taking hold of her bridle, made a show of conducting her as a prisoner to the castle of Dunbar. Melville, one of her attendants on the occasion, related that the officer who made him prisoner alleged that the whole had been concerted with Mary; a plain enough intimation of his own view of the matter, in a case where so indulgent a writer would have hinted a doubt that he had felt. It was the universal opinion that "she patiently suffered herself to be led where her lover listed."\* She offered no opposition, and uttered no complaint. "None doubted that it was done with her own liking and consent."† During Mary's stay at Dunbar, proceedings for a dissolution of the marriage of Bothwell and the Lady Jane Gordon, whom he had espoused only two years before, were

\* Hist. of James the Sixth, p. 9.

† Spottiswood, p. 202. The last of these witnesses, who was prime and chancellor under her grandson, is of great weight. Who-

ever believes that the arrest and rape were simulated, can hardly refuse his assent to the imputation of the greater crimes to the queen.

commenced in the Protestant court by the wife, for the adultery of the husband, and in the archiepiscopal court by the husband for consanguinity without a Papal dispensation. Both these collusive suits were hurried through in ten days. A tale of personal violation was spread from Dunbar, to persuade the public that the queen had no other resource left her than marriage with her ravisher. The countess of Bothwell's suit was, with singular immodesty, commenced almost on the day which Mary alleged that she had been violated by Bothwell. Thus did the consciousness of guilt betray persons of no common penetration into an accumulation of pretexts, the violation and the divorce, of which the latter rendered the former so superfluous, as to convert it into a wanton breach of the most vulgar decency.

One honest man then appeared, who, in the midst of the general corruption and pusillanimity, was doubtless a most unexpected impediment. John Craig, one of the ministers of Edinburgh, on being commanded to publish the banns of the intended marriage, refused. His objection was founded on the rumour that the queen had been imprisoned and ravished by the man whom she proposed to marry. Upon this one of the judges was sent to him with a letter, signed by Mary, in which she declared that she had neither been ravished nor detained captive. The intrepid preacher nevertheless urged upon the council the bar to the union in the confirmation of the suspicions of the queen's complicity in the murder which it would involve. He was forced to comply; but he declared from the pulpit that he abhorred and detested the marriage as an event hateful in the sight of all men. About three months after the murder of Darnley, one after the pretended trial of Bothwell, and within nine days of the latter's concerted divorce, Mary Stuart was solemnly espoused to the man whose hand was red with

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the blood of her first husband. So headlong was her passion that she consented (Bothwell being a nominal Protestant) that the rites of the Reformed Church should be used on the occasion, though her principles obliged her to consider these as the badges of no lawful union.

A casket containing a correspondence purporting to have been carried on by Mary with Bothwell, which, if really productions of hers, establishes her guilt, was discovered some months afterwards. The genuineness of these documents, however, and their irresistible force as evidence against the queen, have been already demonstrated by Mr. Hume and Dr. Robertson, and most of all by Mr. Malcolm Laing, who, in the acuteness with which he employs the rules of historical criticism, is not inferior to either. The proofs of Mary's guilt are her own acts. The correspondence in question was seen at Edinburgh, at York, and at Westminster, by hundreds of persons, friends as well as foes of Mary, most of whom knew her handwriting; yet proof of its forgery, which must have been easy, was never attempted. The letters relate to a succession of minute facts, multiplying beyond calculation the means of detecting imposture; serving the purpose of an accuser by hints and allusions only, such as would be found in genuine correspondence, not by those clear and positive manifestations of guilt by which an eager partisan betrays his forgeries. They are also full of unforced expressions of burning passion, of which the extreme grossness, in such an age, and from such parties, is rather a corroboration of their truth than a difficulty in the way of assenting to it.

There is a species of secondary, but very important, evidence as to Mary's criminality, on which a few additional sentences may be excused. The silence of Castelnau on the subject, who was friendly to her, and who had opportunities of knowing the facts, is very



significant; that of Melville also, her personal attendant and confidential servant, whose brother was with her to her last moments; and lastly, that of Spottiswood, her grandson's chancellor, and head of the Scottish Church. That of the archbishop is singularly conclusive, because accompanied by admissions irreconcilable with the supposition of her innocence, and evidently showing that he did not entertain any doubt of her guilt. But the testimony of De Thou is, perhaps, the strongest among the secondary proofs. The president De Thou is the most upright of historians. He was a tolerant Catholic in an age when all parties persecuted. No effort, and scarcely any expense, appeared to this conscientious historian too great a price for truth. He adopted, in the main, the narrative of Buchanan; which was doubtless, in some measure, recommended to him by the genius and eloquence of that illustrious man. But he tells us himself that he had most diligently inquired of the Scotch Catholic refugees in France; who, in a manner decisive of the whole question respecting the queen, assured him that Moray, notwithstanding his errors in religion, was a man without ambition or avarice; most averse to wrong others; distinguished by courage, gracious manners, active benevolence, and an innocent life. In the reign of James the First, Camden, at the suggestion of that monarch, entered into a correspondence with De Thou, warning the historian of the necessity of circumspection in his narrative of Scottish affairs, and confirming his opinion that the king was offended with the narrative of Buchanan. The latter, with courageous honesty, replied, that he was unwilling to give needless offence, and wished to relate events without angry language; but that he deemed the concealment of truth to be as much a crime in a historian as the promulgation of falsehood; and that the calmest account of such a deed as the death of Darnley would, he feared, be as offensive to

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 XIV. that great man. As the representation of Camden had  
 1567. not shaken the conviction of De Thou, his patron  
 employed an advocate of more fame to convert the  
 obstinate historian. This was Isaac Casaubon, one of  
 the most celebrated scholars who had appeared since  
 the revival of letters, on whom James bestowed pre-  
 bends of Canterbury and Westminster, with a pension  
 of two hundred pounds. Casaubon began his approaches  
 from a secure distance. "The king declares that he  
 prefers one Thuanus to many such writers as Tacitus."\*  
 He then apprises his friend that the king had been dis-  
 turbed by the deviation from truth into which rebels  
 and libellers had seduced him in his account of Scottish  
 affairs, and that, to remove his delusion, the king had  
 caused a true account of the events to be composed  
 from authentic materials by Sir Robert Cotton, which,  
 when complete, should be sent to him at Paris. In  
 consequence of these solicitations, which were continued  
 almost to the death of De Thou, he appears to have  
 proved his candour by suppressing some acrimonious  
 passages which he owed to Buchanan. But he also  
 proved his honesty by at last leaving his text in such a  
 condition that no one who reads it can doubt that  
 Mary was, in his opinion, an accomplice. With regard  
 to Camden himself, and that part of his annals which  
 relates to Scotland, it ought to be borne in mind, that  
 the protégé and agent of James must have composed  
 his narrative under strong temptation to suppress the  
 truth.

The remaining transactions in Scotland, which at this  
 period form part of English history, will not occupy  
 a large space. The ascendancy of Bothwell lasted only  
 a month, involving in its downfall the throne of his  
 wife, thenceforward the most unfortunate of women.  
 He endeavoured to possess himself of the person of the

\* Casaubon to Thuanus, 16th Nov. 1610 (apud Carte).

infant prince; but his guilty purpose was defeated by Melville, who confirmed Lord Mar, the prince's guardian, in his resolution to save his ward from the hands of those who had slain his father, especially as Bothwell had already boasted among his companions, that he should warrant the child from revenging his father's death. Melville persuaded Balfour, governor of the castle of Edinburgh, not to part with it to the reigning powers, but to join the lords, who had secretly confederated to prosecute the murderer and to crown the prince. Such was the prevalence of rumours that it was intended to murder the royal infant, that Mary was reduced to the dreadful necessity of disclaiming, in a solemn proclamation, any such designs against her child. Shortly after, Bothwell and the queen, to whom one of the confederates had revealed the intended rising, fled from Holyrood House, taking refuge in Borthwick Castle. The insurgents took possession of Edinburgh with the entire acquiescence of the people; publishing a proclamation against Bothwell, charging him with "having made a dishonest marriage with the queen, after having murdered the king, and with now gathering a force to cover his intended murder of the prince."

Precisely a month after their marriage, the queen and Bothwell collected a small army, with some few men of importance, at Carberry Hill, near Edinburgh. A proclamation was issued, offering land of the annual value of forty pounds to the slayer of an earl, land of half that value for the head of a lord, and an estate of ten pounds by the year to him who should kill a man of property. Dismay, the natural effect of an unpopular cause, spread rapidly among the levy. Le Croc vainly laboured to perform his usual part of a mediator. On his assuring the lords of pardon if they would lay down their arms, the earl of Morton said, "that they would be satisfied with the punishment and removal of the murderer of the late king." "As to pardon," said the

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earl of Glencairn, "we have not come here to ask pardon for any offence we have done, but rather to grant pardon to those who have offended."\* Mary was not of a timid disposition, but she quickly apprehended her situation. Desiring Bothwell to provide for himself, she bade him a farewell, which proved to be an everlasting one. Then calling for Kirkaldy of Grange, a warrior of some irregular generosity, she addressed him, "Laird of Grange, I surrender myself to you, upon the conditions brought from the lords;"† and gave him her hand, which he kissed. Taking hold of her bridle he led her down to his party, who conducted her in the evening to the house of the provost of Edinburgh. On her entrance into the town she was assailed by the populace with reproaches and accusations, in a manner, says Melville, "which was a pity." The following morning she saw a white flag before her window, on which was painted the corpse of her murdered husband lying under a tree, as it was found after his murder, and her infant son upon his knees, uttering these words, "Judge and revenge my cause, O Lord."‡ A few days after, the captive queen was committed a prisoner to the castle of Lochleven, which seemed to be doubly secured by its position upon an island in a lake, and still more by its belonging to Margaret Douglas, the mother of the earl of Moray. She expostulated with Kirkaldy on this breach of the understanding between them. He excused his acquiescence by quoting a letter

\* Keith, p. 401.

† Melville, p. 184. Her unworthy paramour had already made her feel how heavy the yoke of illicit love may be. "He was so beastly and suspicious that he suffered not a day in patience, causing her to shed abundance of salt tears."—Ibid. p. 182.

‡ The reader who peruses the eighteenth book of Buchanan's His-

tory will probably be surprised at finding that historians of the most opposite opinions have closely followed the narrative of that illustrious man, especially in his beautiful descriptions of memorable events; though, to their shame be it spoken, few of them own their obligations to their great master, and many repay them by wanton aspersions on his moral character.

written by her to Bothwell, the night of her confinement at Edinburgh, which had been intercepted and shown to him, in which she called that bad man her dear heart, whom she should never forget nor abandon; he entreated her to put Bothwell out of her mind, or otherwise she would never gain the love or obedience of her subjects; "which made her bitterly weep, for she could not do so hastily."\* Whatever doubts may be felt about this letter, of which Kirkaldy believed the genuineness (a testimony which seems to outweigh all difficulties), it is in remarkable conformity with the tenour of her correspondence with Throgmorton, the English minister, to whom she declared that she would rather die than be divorced from Bothwell. This was probably a pretext, however, both from its own peculiar nature, and from the fact of her afterwards renouncing her attachment on being pressed so to do, in order to save her life. There were at this time four parties on the question how Mary was to be disposed of. The first proposed her restoration, with sufficient security for her revolted subjects and for the Reformed religion, with the punishment of the murderers, and her divorce from their leader. The proposal of the second was that Mary should quit the realm, to reside either in France or England, after having resigned the crown to her son, and appointed a regent during the latter's minority. Both these parties were, however, weak. The first consisted of Lethington, nearly alone: the second, chiefly of the earl of Athol and his followers, strengthened by acquiescence rather than support from the earl of Morton. The third, composed of the greater part of the council, and of many considerable persons in the country, required the coronation of the prince, and the trial and condemnation of the queen; but were disposed to be contented with her perpetual imprisonment within the realm. The fourth demanded the in-

\* Melville, pp. 185, 186.

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fiction of capital punishment on her, as, in point of justice, the sole penalty commensurate to her crimes, and, in point of policy, as their own only means of safety. They dreaded the interference of foreign princes, and the danger of factions among themselves. They also feared evil from the compassion which her long confinement might excite in the bosoms of the Scottish people. Throgmorton commended the prudence of the first plan, as being the only one which his own sovereign, or the kings of France and Spain, were likely to approve. In his discussions, however, with statesmen, divines, and scholars, he advocated the more moderate of the two latter plans, entreating the lords "not to wipe away the queen's infamy and Bothwell's detestable murder by enormities on their side, and not to bring upon themselves the indignation of all Christendom, which had been hitherto fixed upon their adversaries." He reminded them that there were no competent judges to try the queen, by whose authority alone all courts were holden, and all malefactors brought to justice; and that it was not possible to try her for a crime without being guilty of high treason. It was answered to this, that in the case of monstrous enormities there must be extraordinary proceedings; that if there was no written law against offences not to be expected, new punishments must be applied by the Estates of the realm; and examples were quoted from ancient Scottish history, which, if not apocryphal, were justly considered by Throgmorton as rather practice than law. Knox preached in favour of the more rigorous course, which he justified by precedents from Jewish history. Buchanan (with a more enlarged soul) appealed to the generous principles of equal law and liberty; but it was in support of a rigour uncongenial to those noble institutes.

In the month following her imprisonment, Mary was compelled by Lord Lindsay, the rough emissary em-



ployed on the occasion, to subscribe three deeds. By the first she appointed seven noblemen to exercise the powers of government until the return of the earl of Moray, who, in case of his refusal of the regency, were to be continued in office; by the second she resigned her regal authority to her son; and by the third she appointed the earl of Moray to be regent of the realm on his arrival from France, and after his formal acceptance of that high office. The messenger and the errand were harsh. But the insurgent lords, as they believed their cause to be just, and themselves justified by necessity in the course they took, viewed every measure which was short of rigorous extremity as an act of lenity and a remission of right. Deeming themselves authorised to depose the queen, they did not conceive it unlawful to extort a resignation from her. Four days after, the young prince was crowned at Stirling by the title of James the Sixth.

A warrant for the apprehension of Bothwell had been issued by the Privy Council a few days after the surrender of the queen. He escaped, however, to the Orkney and Shetland Islands, which formed the dukedom bestowed on him by his infatuated mistress. Here he hired some vessels to carry him to Denmark, whence he professed the intention of proceeding to France. Kirkaldy of Grange and Murray of Tullibardine were despatched with an armament in pursuit of him. They surprised and took four of his vessels in an inlet of the Shetland Islands called "Bressey Sound," while the masters and crew were on shore. The one in which Bothwell was, and that in pursuit of it, both struck on a sunken rock, where the course of the latter was stopped, but the other escaped. Bothwell was pursued in a running fight of about three hours, at the end of which a cannon-ball dismasted his best vessel. At this moment a heavy gale from the south-west drove him on the coast of Norway, where the captain of a Danish

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ship demanded his passport. Bothwell replied that on account of his unsuitable dress he was unwilling to discover himself; but gave the other to understand that in the hurry of an escape from Scotland he had been unable to provide himself with the necessary papers. Having prevailed on the principal part of the Scottish crew to come on board his ship under pretence of furnishing them with provisions, the Danish captain detained them in confinement; summoning the peasants of the neighbourhood to aid in securing certain freebooters, who were navigating the Danish seas without authority. The prisoners were conducted to Berghen, where the Norwegian viceroy treated them with hospitality.\* Bothwell was examined by Danish commissioners, before whom he appeared in the torn and patched clothes of a boatswain. Being asked who he was, he answered that he was the husband of the queen of Scotland. On his passport being demanded, he answered with scorn, asking of whom he was to receive papers or credentials, being himself the supreme ruler of the land. It was retorted that his vessel being armed and manned for fight, it was extraordinary that he should have no letters of marque, or ship's papers of any sort; and as it appeared that his ship had formerly been commanded by one Daniel Cooth, a reputed pirate, the suspicions that he was himself one were increased. Soon after, however, a portfolio was found in one of his vessels, containing his patent as duke of Orkney, proclamations of the Scottish government, offering rewards for his apprehension, together with a letter in the queen's own hand, complaining of her own fate and that of her friends. In consequence of this discovery he was sent to Copen-

\* The above narrative is taken from the statement made by himself to the Danish government on his arrival at Copenhagen, the original manuscript of which was lately dis-

covered in the royal Swedish collection at Drottningholm. It is comprised in a publication entitled "*Les Affaires du Comte de Bothwell*," (Edin. 1829).

hagen; whence he was removed to Malmoe, in Sweden, at that time part of the Danish dominions: and there he died, nine years after, in a state of frenzy. The government of Scotland had demanded his surrender, that he might be brought to justice, and Elizabeth, as its ally, seconded the request. The answers were evasive.

Moray shortly arrived from France, and, accompanied by Athol, Morton, Glencairn, Mar, Semple, Lindsay, and Maitland, visited his sister at Lochleven. Mary burst into tears at seeing him, and drew him aside from his companions. From his account\* of their secret conversation, it appears that after having read the intercepted letters, and received information of all that had passed, he felt himself unable to resume that familiar frankness with her which was wont to prevail in their interviews. In the course of a second conversation he plainly, and without disguise, discovered his opinion of her misgovernment, freely laying before her the full extent of her misconduct. "Sometimes the queen wept bitterly, sometimes she acknowledged her misgovernment; some things she did confess plainly; some things she did excuse, some things she did extenuate. In conclusion, he left her nothing save God's mercy." Next morning, "he used some words of consolation, saying that he would assure her of her life, and, as much as in him lay, of the preservation of her honour. As for liberty it lay not in his power, neither was it good for her to seek it, nor presently to have it. Whereupon she took him in her arms and kissed him." Nor was this impulse of Mary's feeling unwarranted by reason. It became a brother to awaken her to a sense of her misdeeds, and an adviser to discover the opinion entertained by all Europe of them. At this moment nothing could have been more dangerous to her than liberty. Moray appears never to have countenanced designs against her life; and he laboured with difficulty

\* Throgmorton to Elizabeth, Keith, p. 444.



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to spare her good name, until he was driven from this course by the duties of the supreme magistracy, and by the necessity of consulting the safety of the Protestant party, of which he was the acknowledged leader. "You will be put in peril," he said to her, "by attempts to escape; by practices against the quiet of the realm, and the authority of your son; by your exciting France or England to war against Scotland; and by your own persisting in the inordinate affection with the earl of Bothwell. You should show a disposition to detest your former life, to adopt a more modest behaviour, and to make it appear that you abhor the murder of your husband, and dislike your former life with Bothwell."\* Mary, profuse in friendly professions, entreated Moray to accept the government. He was soon after proclaimed Regent by order of the Privy Council. The proclamation professedly took for its basis the resignation of the crown, and the commission of regency executed by the queen; adopting somewhat of that politic regard for words and forms which was employed, perhaps excusably, in England, before and after, to give the colour of legality to a revolution.

The governments of England and France, desirous of avoiding the exposure of Mary's faults, and of restoring her to some decent appearance of authority, dreading the example of rebellion, and jealous of whatever touched the personal safety of princes, endeavoured to compose the Scottish disorders by expedients not offensive to moderate men of either party. Throgmorton, the English, and Lignerolles, the French ambassador, represented the necessity of enlarging her, and desired to be admitted into her presence. They were told, in answer, that it had been found expedient to make an order that no foreigner should see the Queen till the apprehension of Bothwell; and that until that event her enlargement could not be taken into consideration.

\* Keith, p. 446.

In the discussions which followed, Lethington signalised his great powers of expression and insinuation, speaking with as much eloquence as could be reconciled with the quiet of a diplomatic conversation:—"We are far," said he, "from meaning any harm to the queen. But at present she is no more to be satisfied than a sick person in an extreme disease is to be indulged in his inordinate appetites. We have been hitherto content to be called by foreign princes, and especially by the queen of England, traitors and rebels, ungrateful and cruel; all which we suffer, because we will not justify ourselves by proceeding in what might touch our sovereign's honour. But if this defamatory language should threaten to oppress us, we shall be compelled to deal otherwise with our queen than we intend, or than our neighbouring princes desire. We would rather endure the fortune of a war with you than set our queen at liberty in her present mood, when she is resolved to retain and strengthen Bothwell, to hazard the life of her son, and to confiscate the estates of the nobility." Throgmorton then appealed to Moray, who, having been abroad at the time, was not responsible for the revolt and deposition. Moray answered, "Sir Nicholas, I think you have heard reason from the laird of Lethington. Though I was not here at the Lords' doings, I must support them; and having taken on me the burden of the regency, which I should gladly have eschewed, I mean to employ my life in defence of that act, and will either reduce the nation under the king's authority, or it shall cost me my life."\*

Elizabeth appears to have been at this moment on the brink of a rupture with her allies. She proposed to the French government that, as open hostilities might endanger the life of Mary, England and France should interdict all traffic with the Scotch rebels. Cecil in-

\* Throgmorton to Elizabeth, 22d Aug. Keith, p. 448.

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formed the English minister at Paris of his mistress's solicitude to avert the example of regicide, in terms so earnest as to indicate a compassionate regard on the part of the latter for the personal safety of her kinswoman. "No counsel," Cecil complains, "can stay her majesty from manifesting her misliking of the proceedings against the Queen of Scots, though I think the French may and will catch the lords, and make profit of them, to the disadvantage of England."\* Eighteen months afterwards, she claims the merit of having resisted, for Mary's sake, the counsel of politicians, in a letter to that princess herself, with little delicacy indeed, but with considerable appearance of sincerity. "How void was I of regard to the designs against my crown, which the world had seen attempted by you, and to the security which might ensue to the state by your death; when I, finding your calamity to be so great, that you were at the pit's brink to have miserably lost your life, did not only entreat for your preservation, but so threatened some that were irritated against you, that I may say I was the principal cause of saving you."† The English Queen, probably with no farther view than to deter the party in power from offering violence to their sovereign, opened a negotiation with that portion of the nobility now daily growing stronger, who were preparing to resist the Regent. It is evident from the tone of satisfaction in which Cecil soon after speaks of Moray's government, that Elizabeth was obliged to be content with the latter's assurance that he would save the life of his sister.

The confederacy, however, to restore the dethroned queen grew stronger every day. The house of Hamil-

\* Cecil to Norris, 19th Aug. 1567. Cabala, p. 129.; and on the 3rd of September he informs the same ambassador,—“Her Majesty is still offended with the lords for

the queen. The example moveth her.”—Ibid. p. 130.

† Elizabeth to Mary, 20th Feb. 1569-70. Robertson, App. xviii.



ton, with their powerful connections and numerous followers, constituted its main strength. That illustrious family, declared by parliament to be the next in the order of royal succession, were impatient of the rule of a subject. To overthrow Moray, they coalesced with men of all opinions. The bishops, the great abbots, the Catholic lords, and all who were attached to the queen, either by gratitude or loyalty, including also those who had been recalled to her cause by compassion, or moved by fear of confusion, flocked to Hamilton, professing a determination to atone for their rebellion. The defection of the earl of Argyle from the Protestants is ascribed by some to his descent from the Hamiltons by his mother, who was a daughter of that family. Lethington, who, though he had connived at the king's murder, was a man of mild disposition, was estranged from his old associates, by their refusal to grant favourable terms to the queen. Murray of Tullibardine, though he had been one of the keenest of the revolvers, is said to have now changed sides from personal resentment against the Regent. The confederates found means to open intercourse with Mary, who issued a commission to the duke of Hamilton, to be her lieutenant of the kingdom. Moray, not without suspicion, or perhaps information of the designs formed against his authority, again visited his sister. She offered to quiet his apprehensions from Bothwell by a marriage; proposing to wed George Douglas, a handsome stripling of about eighteen, for whom she had spread her snares. He was a son of the Lady of Lochleven, and consequently Moray's half-brother. But that nobleman evaded her proposal; contenting himself with the observation, that the youth was of too humble a rank for her consort. He expressed no wonder, however, at this mention of a fourth husband, so soon after she had shown a resolution to cling to her last. He probably suspected that, independently of her reasons of policy

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for gaining Douglas, she might have honoured that youth by casting at him a glance or two of momentary preference. But the proposal was chiefly contrived to hide the design which was really entertained. Dressing herself in the clothes of her laundress, who had come from the adjacent village, and carrying with her a basket of linen, covering her face with a muffler, she entered the boat which had carried the woman to the island. One of the watermen, with rough gallantry, tried to remove the muffler, saying gaily, "Let us see what manner of dame this is." As she put up her hand to resist him, the suspicion of the boatmen was awakened by its whiteness and delicacy. They refused to land her at Kinross, where Douglas, with Semple and Beaton, were waiting to receive her. But they were faithful and compassionate enough to keep her secret. They returned her to the island. The plot must, however, have been soon discovered, for Sir William Drury gives an account of it from Berwick to Cecil.\* The second attempt was more successful. One evening, while the Lady Lochleven and her eldest son were at supper, William Douglas, a youth brought up in the castle, stole the keys, and opening the gates, let Mary out, with one attendant, afterwards locking them on the outside to delay the pursuit. On her landing at Kinross, she was received by George Douglas, with Lord Seaton, Hamilton, and Beaton, three of her most devoted adherents. Mounting her horse, she did not slacken her speed till she reached Niddry Castle, the seat of Lord Seaton, in West Lothian. After resting for three hours, she rode to Hamilton, where she was welcomed with joy, no longer dissembled, by a body of brilliant nobles, and a band of three thousand of their warlike followers. Her first act was to protest against the signatures extorted from her at Lochleven; her next to require from Moray a renunciation of his illegal authority.

\* Keith, p. 569, &c.

Moray, who was at Glasgow at the time holding a court of justice, was attended only by his ordinary train, or by such armed men as were necessary for the enforcement of order in a turbulent period. He was advised to fall back on Stirling, and to wait for the regular array of the kingdom. But he was a man of resolute character: he understood the value of opening a contest with a bold front, and dreaded the dispiriting effect of a retreat. He also considered the neighbourhood of the domains of Lenox, Glencairn, and Semple, as an advantage not to be lightly abandoned; and above all relied on the Protestant zeal of the Presbyterian city of Glasgow. His numbers, however, did not exceed four thousand; the royal army, on the other hand, amounted to six thousand. Eloquent historians, of more than one century, have put in the mouths of the chiefs on both sides those common-places which have been uttered in every age for or against caution or boldness. Those topics, however, are seldom used in consultations about important measures, which are generally governed by the time and circumstances. The inaction of the queen's army seemed to be rendered advisable by the departure of the earl of Huntly, who had gone to the Highlands, to bring up his vassals, and of Ogilvie, who had repaired to his estates in the north for the like purpose. But if they had decided on delay, it was evidently necessary to avoid giving the enemy an opportunity of forcing them to battle. On that supposition, they chose the least eligible of all plans. They marched towards Dumbarton, where it was said their object was to leave the queen safely lodged in the castle, that they might be at liberty to direct their movements according to circumstances. But by this march they gave their vigilant adversary, who was encamped on the flank of their line of advance, the choice of attack or delay, with that of the time and place of the fight. Moray did not neglect the opportu-

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nity. At this critical moment Mary, fearful of being enthralled by the house of Hamilton, and dreading the imposition of one of them upon her as a husband, unseasonably began a clandestine negotiation with the opposite party. To damp the royal cause still further, Argyle was inopportunately attacked by a fit of apoplexy. Both parties struggled to obtain possession of a rising ground above the village of Langside; but the Regent alone succeeded. He appointed Kirkaldy, a soldier grown old in continental war, where he had earned the esteem of the chief captains of his age, to ride round his line with a small detachment, and aid or animate as the state of things might require. The veteran, having surveyed the ground, caused each of his horsemen to take up a foot soldier behind him; and galloping to the top of the hill, posted his detachment of infantry with their culverins there. The other army, disappointed in their object, stationed themselves on a lower rising ground immediately adjoining. A conflict took place, in which, for half an hour, neither party gained much advantage. About a quarter of an hour after, however, the queen's party began to waver and suddenly took to flight. The most interesting fact concerning this battle was the unusual clemency of the victor. "The Regent," says Melville\*, "cried out to save and not to kill. The only slaughter was at the lane head, from the fire of the soldiers whom Kirkaldy had planted there." "The Regent sent horsemen all round with a command to spare the men."† "At the moment when the enemy gave way, the earl of Moray willed and required his men to spare bloodshed."‡ His exertions were so successful that, though the pursuit was long continued, the whole number killed on the defeated side

\* Melville, p. 202.

† Calderwood, MS. History. Keith, p. 479.

‡ Anonymous intelligence from Scotland. State Paper Office MSS.

These authorities, from a comparison of which the narrative in the text has been formed, concur in bearing testimony to the anxious and active humanity of the regent.

did not exceed two hundred. His mercy did not arise from any dread of retaliation, for he lost no more than two men; and the accuracy of this enumeration is proved by the remarkable circumstance that the name of one of them, though both were privates, is still preserved. There are few examples, in the civil dissensions of times accounted the most humane, of so tender a regard to human life as that which was shown by Moray to those among his countrymen who were most fiercely seeking his destruction.

The queen had been so placed as to view from her seat on horseback the chief incidents of an action which decided her fate. Though Melville tells us that when the event was declared, she then, for the first time, lost her courage, abandoning herself to fear, her general temper warrants a suspicion that he fell into the vulgar error of taking that for fear which was only a clear and quick perception of danger. Her happy conformation, uniting the beauty of delicate proportions with healthy vigour and youthful nimbleness; the skilfulness and boldness of her horsemanship, an accomplishment for which she had been celebrated at Paris, stood her in much stead at this moment of overthrow. Foiled in an attempt to gain Dumbarton Castle, which was garrisoned by her troops, she rode, accompanied by Lord Herries, the most tried of her friends, to the abbey of Dundrennan, on the Solway Frith, near Kircudbright, a distance of sixty miles. At that monastery, of which the son of her noble attendant was the abbot, she found a short repose, waiting for an opportunity of escape from the resentment of her people to a foreign country. But it was not a time for deliberation unless she preferred the revival of civil war, which held out little prospect of good to her friends, and threatened herself with destruction in its most painful form, the only course left open to her was flight to England. It is probable that there was not then a vessel which would have ventured on a

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voyage to France. The chances of capture by Scotch or even English vessels were too imminent. Though Elizabeth had long made common cause with the victorious faction, she had shown the utmost displeasure at the extremities which some of them had meditated against the person of their sovereign. It is probable enough that Mary considered this behaviour of her cousin as ground enough for expecting a welcome reception; but, however she might then or afterwards represent herself as voluntarily trusting to that relative's affection or justice, England was, in truth, her only choice. Desirous, however, to preserve some appearance of liberty, she directed Lord Herries to write a letter to Lowther, governor of Carlisle, desiring to know whether, if the Queen of Scots were compelled to seek refuge in England, she might safely come to Carlisle. The answer was, that, being without instructions, and in the absence of Lord Scroop, the warden of the borders, he could only promise to receive her with due honour, and to keep her in safety till the pleasure of his mistress should be known. But Mary could not wait for the answer. She embarked with Lord Herries and about twenty others in a fishing boat, which landed her the same evening at Workington. And now were closed for ever the dignity, power, and personal liberty of the queen of Scotland; whose early life shone with more unclouded splendour, and whose later years were darkened by more unremitting adversity, than have fallen to the lot of any other royal lady whose fortunes have been the subject of authentic history. A time, however, came, when her mind, ennobled by calamity, and taught to feel horror against wrong, by suffering from the vices of others, showed its innate generosity, warranting us to believe that, in happier circumstances, her reign might have been great and prosperous, instead of one of the most sullied on record.

The English council were called upon by the arrival



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of Mary to determine questions of no small moment, the decision of which was rendered difficult by considerations, apparently conflicting, of justice as well as convenience. The papers of Cecil, which are still extant, contain a careful comparison of the various plans of policy that might be adopted towards the illustrious suppliant, under the heads of justice, expediency, necessity, and facility; an enumeration which seems to exhaust every possible view of the subject.\* "The best way for England, but not the easiest," pondered this famous statesman, was, "that the Queen of Scots might continue to be deprived of the crown, and that the government of that country might remain in the same hands." The second mode was "profitable for England, but not so hard;" which was, "that the queen and her son should be jointly vested with the sovereignty, with a truce in Scotland, a meeting of the Scottish parliament, and a limitation of the queen's power in appointments to office, or in measures of state." It was considered desirable that the young king should be educated in England; and that his mother should remain there twelve months, and should not leave the country without leave from Elizabeth. In another paper, Cecil represents it to be essential to ascertain whether there was positive proof of Mary's accession to her husband's murder, with a view to the question of acceding to her demand of an interview with Elizabeth; and in order that, if innocent, she might be restored, and if guilty, at least guarded against violence. Her restoration in the latter case,

\* In an unpublished MS. of Cecil, entitled Συμβουλευτική, these heads are presented thus:—

Αγαθον Συμμερον Αναγκαιον Ραδιον	} Συγκρισις των	{ Αγαθων και Συμμεροντων.
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This paper, in the State Paper Office, is not dated, but was probably written on the news of Mary's crossing the Solway, and certainly within a month of that event.

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1568. faction.

Here we see that Cecil had taken a comprehensive view of the mixed considerations of policy and justice arising on that peculiarly debateable ground, on which the safety of a people seems to create a species of moral right, justifying acts which are necessary to secure the quiet of the state, even when they deviate from rules, with reason deemed inviolable in any but extraordinary cases. The great statesman inquires into the duties of his royal mistress towards her own subjects; towards the adherents of her faith throughout Europe; and more especially to the Protestant rulers of Scotland, whom she was bound by honour, as well as interested by policy, to support. Faith between nations depends little on names or forms. It was of no real importance to inquire whether the government of Moray was a legitimate one. It was enough that the Scottish Protestants had been encouraged by the acts and words of Elizabeth to stake their all upon her power and will to support them. The interposition of her good offices in behalf of Mary's safety and liberty, during the year preceding the flight of the latter, rather riveted than loosened her obligation to maintain the Scottish Reformation. This obligation was recognised by the ministers of the Queen of Scots in negotiating the treaty of Edinburgh; it was founded on circumstances which were not changed; and a firm reliance on it had caused measures to be adopted which it was now impossible to recall. What, then, would be the practical consequence of setting Mary at liberty? or, still more, of restoring her without condition? If she should be allowed to go to France, would not Scotland by this means be delivered up to the house of Lorraine? If she should prefer Spain, would not the gates of England be put into the hands of the most powerful anti-Protestant government

in Europe? If she should obtain leave to return to Scotland, would not that event give royal sanction to the revolts of Argyle and Huntly, which had broken out, as it were, to reproach her precipitate flight, and to invite her to re-ascend the throne? Spain, France, Ireland, a party in Scotland, many of the English nobility, who believed her to be the legitimate queen of England, needed only her presence and concurrence to assert her pretensions with vigour. If Elizabeth were to send a powerful army into Scotland to oppress her friends, she would be both condemned for perfidy and despised for folly. To suffer Mary to go back to Scotland would be, in substance, as decisive an act of hostility to the Protestant regency of Scotland, as the invasion of that country by an English army for the like purpose. Elizabeth had further to consider whether it was consistent with her duty to her own people, as guardian of the public quiet, to permit a formidable pretender to her crown to depart freely from the kingdom. Amidst relations so complicated, it was no wonder that duties should appear in a state of conflict with each other. Such an unhappy contest may sometimes arise; and in the position of the English Queen it would have been, perhaps, impossible to have pointed out any course which might not be resented by some of the parties. The perilous question had arisen, how far the right of the nation of England to provide for its own safety entitled it to place restraint on an illustrious fugitive, whose liberty appeared to be incompatible with its security. On several occasions the old asserted superiority of England, and vassalage of Scotland, was thrown into the scale, as vesting a sort of jurisdiction over Scottish affairs in Elizabeth; absurdly enough, after a forbearance of nearly three hundred years, even if the claim had ever been satisfactorily established.

Mary, immediately on landing, despatched Herries, to desire that she might be forthwith admitted to the pre-



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sence of Elizabeth, and that succour might be granted to replace her on her throne. The latter replied that she was heartily sorry that she could not assent to her sister's present coming; that as long as the imputation of a share in the murder of Darnley lay on Mary, and while the circumstances of the marriage with Bothwell were still unexplained, she could not with honour show her hospitality; but if the Queen of Scots could devise any means of removing the imputation of such crimes, she would receive her with open arms, restore her to the throne, and chastise her rebellious subjects; and in the meantime entertain her with all due honour. In reply Lord Herries said, that though his mistress was impatient to be received by her sister, yet he was instructed by her to say, that if the Queen of England thought the interview for the present unmeet, she would intrust her whole cause to her arbitrament. Elizabeth said, that she disclaimed all intention to judge an independent sovereign; that her great object was to vindicate the innocence and re-establish the authority of Mary, or, in the worst event, if the honour of the latter should not be made so clear as were to be wished, to compound all difficulties without bloodshed; and she concluded by proposing that Mary should submit her conduct to an inquiry. Herries long refused to entertain such a proposal, considering it derogatory to his sovereign that her revolted subjects should be heard against her; but he agreed at last.

On his return to Mary, who had been removed in the interval to Bolton Castle, Herries repeated to her, in the presence of Lord Scroop and Sir Francis Knollys, the message of Elizabeth, which was, "that if Mary would commit her cause to be heard by her highness's order, not to make her highness judge over her, but rather as committing herself to the counsel of her dear cousin and friend, her highness would send for the noblemen of Scotland that they might answer before

such noblemen of England as should be chosen by her, why they had deposed their queen; that if they could assign some reason (which her highness thought they could not), she might restore the Queen of Scots to her regal seat, on condition that the lords and all her other subjects should continue in their honours, states, and dignities; but if they assign no reason, her highness would replace the queen absolutely on her throne by force of arms, if they should resist. In which case her highness would expect the queen to renounce all claims to England during her highness's life, and the lives of her progeny, to convert the alliance with France into a league with England, and to substitute the English Book of Common Prayer for the mass-book in the Scottish churches." At first Mary made some scruple; but, after further conference, she said she would submit her cause to her sister-queen. It came out during this interview, that Herries, full as his heart was of truth and loyalty to Mary, was not averse that she should be bridled in her government, "in consideration of her rashness and foul marriage with Bothwell, whom he would have prosecuted to death."\*

The English statesmen leant to a more rigorous course than was altogether acceptable to Elizabeth. In the previous month, the Council had unanimously passed several resolutions containing their advice to her majesty on this great question. They declared that, in their opinion, she could not with honour or with safety release the Queen of Scots, much less help her restoration to her throne, till, after a fair hearing of both parties, the latter should have been absolved from the heinous crimes charged upon her. The restoration of Mary to the dignity without the power of a queen seemed to the council so subtle and complicated a scheme, so defective in securities against the most imminent perils, so likely to wound the pride of Mary,

\* Knollys to Cecil, Anderson's Collections, vol. iv. p. 109.

CHAP. and kindle her desire of revenge by arming it with new  
XIV. weapons, that they rejected it altogether.

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Few great transactions can be so fully estimated from the original documents as the detention of the Queen of Scots in England. These themselves are eminently worthy of trust. They are the work of a statesman who was accustomed to write dissertations on public measures, and to examine them with a logical analysis. They more resemble the writings of a political philosopher than the compositions of statesmen and diplomats; which last are generally coloured with a merely temporary purpose, studiously avoiding that rigorous order which renders too prominent the omission of topics inconvenient to be urged. In none of these remarkable papers do we find that silence on some subjects, those mere allusions to others, that very partial disclosure of a third sort, which, though not unreasonable in diplomatic correspondence, where it is an object to avoid what might imprudently pledge one party, or needlessly offend another, yet are so often used for deception, as to be always liable to suspicion of covering a sinister purpose. From such suspicion the very pedantry of Cecil guards him, by compelling him to write with a sort of excess of good faith. The fulness and plainness of them imply a deep respect for the understanding of Elizabeth. Naked reason is laid before her, without any attempt to conceal what might be obnoxious, or soften what was harsh; to flatter her vanity or to inflame her passions. This treatment implies undoubtedly the highest commendation which can be bestowed upon a sovereign. But it never could have been adopted for a personal purpose. It is flattering only to the wise. It would have been displeasing to inferior minds. The whole tone of the documents contradicts opinions which have arisen in later times. It is evident from them that all public measures originated with her sagacious counsellors; and that, though adopted



by her wisdom, they were little influenced by her private passions; excepting, indeed, those relating to her own marriage, or to the inheritance of the crown.\*

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\* About two hundred and fifty years after Mary had crossed the Solway, another case of exception from ordinary rules arose in England, opposite to hers in moral circumstances, yet resembling it in the dry skeleton of legal theory.

Napoleon Bonaparte, probably the most extraordinary man who has appeared in the world since Julius Cæsar, whom he surpassed in genius for war as much as he and all other warriors must yield to the great dictator in the arts and attainments of peace, having raised himself to the sovereignty of Europe by his commanding faculties, when he was hurled from that eminence by his insolent contempt for mankind, sought for refuge in the ships and territories of the only nation who had successfully defied his power. When he applied with that view to the commander of a British ship of war, he was answered, as Mary had been by the governor of Carlisle, that an officer had no authority to promise more than an hospitable reception in his own ship. The course of events obliged Mary to rush into shelter before the answer of Mr. Lowther arrived. Napoleon was compelled to take refuge in the ship before any answer could be obtained from a competent authority. Both affected to act voluntarily, though they were alike driven by necessity to the first open asylum. Neither of them was born an English subject, nor had committed any offence within the jurisdiction of England: consequently, neither of them was amenable to English law. Neither of them could be justly considered as at war with England; though, on that

part of the subject, some technical but unsubstantial obstacles might be opposed to Napoleon, which could not be urged against Mary. The imprisonment of neither was conformable to the law of England or the law of nations. But the liberty of Mary was deemed to be at variance with the safety of the English government; as the enlargement of Napoleon was thought to be with the independence of nations, and with the repose for which Europe sighed after long bloodshed. The imprisonment, though in neither case warranted by the rules of municipal or international law, was in both justified by that necessity from which these rules have sprung, and without which no violence can rightfully be done to a human being.

Agreeably to this view of the matter, the detention of Napoleon was legalised by an act of the British parliament.<sup>1</sup> By the bare passing of such act it was tacitly assumed, that the antecedent detention was without warrant of law. This evident truth is more fully admitted by the language of the statute, which, in assigning the reason for passing it, alleges, that "it is necessary for the preservation of the tranquillity of Europe, and for the general safety, that Napoleon Bonaparte should be detained and kept in custody;" and it is still more explicitly declared by a specific enactment, which pronounces that he "shall be deemed and taken to be, and shall be treated and dealt with, as a prisoner of war;" a distinct admission that he was not so in contemplation of law until the statute had imposed that character upon him.

<sup>1</sup> 56 Geo. 3. cap. 22. A.D. 1816.

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It must be owned that it is hard to deny that the necessity of self-defence, which is the only just excuse for war, may not, in extreme emergencies, warrant violence to individuals, even though the principle be not embodied in antecedent rules of law. Yet the methods by which men may be lawfully deprived of life or liberty are sufficiently comprehensive. The seasons at which exceptions present themselves are commonly those in which fear and anger render a just judgment improbable. If they are considered as warranted in cases of minor severity, it will be found impossible to assign any limits to them other than the conscience of the possessors of power. The opinion of the latter as to what is necessary to ward off danger must become the sole measure of their conduct. The immense range of moral colours, from a fraudulent pretension through a considerable convenience, or the removal of an impediment or an accession of security, up to the very confines of a struggle for existence, is more than enough to bewilder the eye of the mind. A restraint on personal liberty, which seems to be the mildest and most strictly defensible of all irregular measures, has yet evils peculiar to itself, arising from the circumstance that it must often be long in order to be effectual. The danger is forgotten by the sufferer and the spectators: the anomaly alone stedfastly continues to glare on the eye. The prisoner complains often only from the irritation of his condition, sometimes with a purpose to provoke. Impartial bystanders embrace his cause, in proportion as his sufferings are prolonged. Inferior agents, sometimes justly displeased, sometimes to pay their court to their employers, become more harsh. The process is frequently cut short by the death of the prisoner, which generally earns for his memory the fellow-feeling of after-ages. In other cases to complaint succeeds conspiracy, exasperating the government more and more, till it is provoked to a deed of blood, which

leaves an indelible stain on his name. Whoever with calmness reviews these melancholy portions of history, after temporary passions have subsided, will find it impossible to repress a wish that no exceptions from the rules of moral and even of legal justice towards individuals may hereafter be countenanced by historians or moralists. This might at length contribute to banish such direful expedients from the practice of states. The least reflection will enable the reader, even if he only glances over the surface of history, to perceive how surely such stretches of power render their authors odious, and how seldom (if ever) they are necessary to the safety of communities.

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ELIZABETH — *continued.*

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THE revolutions of Scotland, the great object of English policy during the early years of Elizabeth, have been thus related somewhat fully, until the moment should have arrived when, by the firm establishment of a Protestant government among the Scots, they should lose their importance in the history of England. Till Scotland should be in friendly hands, Britain could not, in a military view, be regarded as an island. It was only when that event happened that the allies of Bayonne were deprived of the vantage-ground from which they were threatening the overthrow of Elizabeth's power. The duke of Alva, who was then beginning to carry into execution the secret projects of that conspiracy, was not yet aware that the ruler of the island-fortress, of which the works had just been completed, was to prove the guardian of national independence, and the unconscious champion of religious liberty; who would sally forth in due time from behind her bulwarks, pouring hope into the bosoms of the oppressed, and striking terror into the heart of the tyrant.

The events detailed in the last Chapter, thus big with the fortunes of Christendom, are peculiarly interesting to the English historian, as enabling him to estimate one of our most famous sovereigns, and one of our wisest statesmen. We have seen, in original documents, which have strong internal evidence of trustworthiness, that the measures of the English cabinet, though not above exception, were not full of such art and stratagem, nor, on the other hand, so characterised by caprice

and jealousy, as they have been supposed to have been; by some historians, from hostile prejudice; by others, from a desire to excite surprise at contrasted qualities in the same character, and more especially at the union of high faculties with shameful foibles. It is now demonstrated that the most unamiable of female feelings had no real influence in the negotiations concerning Mary.

The first ten years of Elizabeth's domestic administration was a season of undisturbed quiet, barren in memorable events or affecting incidents. They were called by contemporaries "her halcyon days."\* "Until the tenth year of her reign the times were calm and serene, though sometimes overcast; as the most glorious sunshine is subject to shadowings and droopings;—for the clouds of Spain, and the vapours of the holy league [of Bayonne], began to disperse†, and to threaten her felicity."‡ It was a part of this felicity that many—perhaps the greater number—of the English Catholics were content occasionally to conform to the rites of the English Church, and to partake in the legal form of worship; deeming it to contain nothing contrary to religion, though it was wanting in many of its important parts.§ Allen, a Catholic clergyman, afterwards known under the name of Cardinal Allen, during his visit to

\* Naunton, *Fragmenta Regalia*.

† *i. e.* To spread abroad, even while they were thickening and darkening.

‡ Naunton, *art. Cecil*.

§ Dod, *Church History*, vol. ii. p. 44. Butler, *Historical Memoirs*, vol. i. p. 166. The first of these respectable works exhibits, on these subjects, two remarkable instances of the power of eager zeal to blind a sagacious and honest writer. Speaking of the supposed versatility of Elizabeth's religion, Mr. Dod says (vol. ii. p. 44.), "the six articles of her faith—the medley liturgy of her brother—all sat easy upon her."

Will the reader believe, that in the year of the law of the six articles, 31 Hen. VIII. c. 14., to which the historian alluded, Elizabeth was in her seventh year? But the liturgy of her brother was substantially the same with her own. "After some months' hesitation," says the same writer, "she appeared visibly for the reformation." The reader of the above narrative will perceive, that she never really hesitated for a moment, and that her public avowal of Protestantism followed her accession in *some days*, or, according to the largest calculation, in the space of a month.

CHAP. England, where he resided for three years, seems to  
XV. have lessened the number of the occasional conformists  
1565. by arguments which are conclusive; as well as by the  
authority of the most learned of the divines at Trent.  
His rigour was, however, so unpopular, that he was  
obliged to quit his native county of Lancashire; and,  
though he was more successful at Oxford, he soon  
returned to Flanders.

The first symptoms of a persecuting spirit which began to creep into the legislation of Elizabeth, must have arisen rather from fears excited by the clouds portending storm on the Continent, than from any indiscretion of her own Catholic subjects. The English ministers received from their secret agents in Italy information of designs against their sovereign entertained at Rome. It was part of this intelligence that a congregation of cardinals, appointed to consider the state of the British islands, had advised Pius the Fourth to grant the crown of England to any Catholic prince who should undertake to reduce that heretical country to a state of obedience to the Holy See. They cannot fail to have much earlier obtained intelligence of a nature to awaken their alarms. These accounts, and their coincidence with those secrets of the great continental powers which had transpired since the peace of Château-Cambresis, gave considerable probability to the outline of the reports which were made to Cecil by his agents at Venice, and of which, however mixed with mistakes and exaggerations, the substance seems to have been believed by that sagacious minister. About the time of receiving this information, parliament sharpened the severity of the Act of Uniformity by making the second offence against its provisions capital in certain cases. By the statute passed on this occasion also, the oath of supremacy was declared to import no more than an acknowledgment that "her majesty is, under God, to have the sovereignty and rule over all



persons born within her dominions, whether ecclesiastical or temporal, so as that no foreign power shall have or ought to have any superiority over them;" an interpretation conformable to the instructions issued two years before by the ecclesiastical commissioners, who had copied it from the ambiguous and evasive laws of Henry. This oath was now for the first time imposed on members of the house of commons, as a condition which was to be performed before entrance into it. Peers were exempted, however, as persons of whose faith and loyalty there was other assurance. One means of hostility against the old faith had, indeed, been supplied by a clause in the Act of Uniformity, inflicting fine and imprisonment on those who should use any form of prayer but that contained in the liturgy; and increasing the penalty, even to imprisonment for life, in case of a repetition of the offence. The imposition of the oath was opposed by Lord Montague and one Robert Atkinson in their respective houses, on principles of liberty so large as to be of suspicious sincerity from any statesman in that age, and to seem not becoming in the mouths of ministers or co-religionists of Mary Tudor.

A circular letter of the primate, written by the Queen's command, to which Cecil added a paragraph of earnest exhortation to mildness, tempered and almost suspended these bad laws. He takes it for granted that nothing but the wilfulness of "some of that sort" could "compel" a bishop to tender the oath to them; and enjoins the latter in that extreme case not to offer the oath a second time without consulting the archbishop; a direction not so consonant to first principles as the professions of the opponents of the law, but, on account of its very limitations, a much more conclusive proof of the sincerity of the writer.

During the period now under consideration, no other change in the laws occurred. There can be no doubt

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that the administration of Bacon and Cecil far surpassed in approaches towards toleration all contemporary governments. Their prudence and temper probably led them often to connive at a degree of religious liberty, from which as a general principle they would themselves have recoiled. Some stains of their age may, however, be discovered. This year a notable mark of the royal displeasure was fixed on the ancient religion, by the exclusion of Catholics from court. Shortly after they were excluded from the bar by an Order in Council, which directed the benchers or governors of the inns of court, the places of legal education, to enforce the oath of supremacy upon all candidates for the legal profession. Sir Edward Waldegrave, a Catholic gentleman who had held high office under Mary, was, with his lady, committed to the Tower for hearing mass; a committal which, on the largest construction of the Act of Uniformity, was of doubtful legality. Some other unnamed persons were imprisoned at the same time, and probably for the same offence. We find a complaint from Grindal and another bishop, breathing no humane spirit against the contumacy of Lady Carew's servants, who had refused to answer interrogatories where they apprehended that the answers might criminate them. When persons of this rank were so treated, it is certain that the madness of fanaticism, and the officious servility of petty tyrants in many cases of less note must have employed bad laws for objects beyond their purpose. Some monument, however, must have remained of the persecution, if it had extended to capital punishment, or comprehended very numerous victims. It was not till the present year that the extensive and open prevalence of the Catholic worship in Lancashire began to awaken the alarms of the court. A commission was granted to the bishop of Chester to examine and reform the state of his diocese. Information was given of exten-

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sive confederacies, and secret meetings, of absolution from the oaths of allegiance, and of unlawful oaths of obedience to the Pope, which seemed so much to portend commotion, if not rebellion, that they deterred the bishop from visiting the most disaffected parts of his diocese. The Catholics, however, escaped the consequences of these imprudences without any harsher conditions than an acknowledgment of their offences against the Act of Uniformity, and a solemn promise to obey the laws. These, though infringements of the rights of conscience, will presently appear to be excused, or, according to the standard of that age, justified, by the events which followed in the north.

The Protestants who fled to England before the destroying sword of the duke of Alva, and from the religious wars of France, had so much increased, that it was thought prudent to ascertain their numbers, at least in the capital. The total of aliens in the city of London and adjoining parishes was found to be nearly five thousand; of whom three thousand four hundred were French or Dutch, which last term comprehended Germans and Flemings. It is not improbable that foreigners constituted not less than a twentieth part of the dwellers in the capital at this period. A large portion of them appear, from the countries of which they were natives, and from the circumstances of the Continent at the time of their arrival, to have been refugees for religion. They spread alarm and horror by the narratives of their sufferings. Among them doubtless lurked many individuals who had been carried along by the flood of speculation which the Reformation had excited, into opinions which, though false, and monstrous, and dangerous to the order and safety of human society, were yet alluring to the inexperienced philanthropist, as well as the ravenous plunderer. A smaller number, either inflamed by fanaticism or stimulated by rapacity, had perhaps perpetrated



CHAP. atrocities rendering them amenable to their govern-  
XV. ments. The name of "Anabaptist" was applied by  
1568. undistinguishing enemies to persons of both these  
classes; though the majority of those so called had  
nothing in common with the furious enthusiasts to  
whom the appellation had been first given, except an  
opinion perfectly inoffensive to society, that the reli-  
gious ceremony of baptism should, like other sacred  
rites, be limited to those who had reached an age when  
they might comprehend its meaning.

The effects of this immigration of foreigners were  
various. Every true Protestant was incensed against  
the persecutors of his brethren. The mixture of many  
men of obnoxious opinions, and of some of ambiguous  
character, with the refugees, however, contributed to  
that disfavour with the Church of England in which  
foreign Protestants were afterwards held. The far  
greater number of the fugitives also were followers of  
Calvin; who, feeling that the seat of religion was the  
heart, desired a more purely spiritual worship, and  
fewer outward ceremonies than our Church thought  
proper to adopt. It was about this time that the party  
called "Puritans"\* first rose into notice, so called from  
their professed purpose of purifying the Church from  
those remains of Roman discipline and worship which  
the moderation of the earlier Reformers had respected.  
They disliked rather than at first rejected episcopal  
superiority; but they more decidedly blamed the use  
of the cross in baptism, of the ring in marriage, of  
instrumental or hired music in public worship, and  
of sacerdotal vestments, polluted in their eyes by the  
adoption of an apostate church. They also objected  
to episcopal courts, and to the repetitions and responses  
of the liturgy. They protested against the lessons ap-  
pointed to be read from the apocryphal books, which  
the Catholics had retained as a portion of the Vulgate,

\* See Appendix C.

but of which it is not known that there ever was a Hebrew original. These scruples borrowed that vast power which they afterwards exercised, from the disposition awakened by the Reformation to receive nothing on merely human authority; and to bring every true Christian into that state of constant intercourse with the Supreme Mind which allows no authority and little peculiar sacredness to priests, and is displeased with the outward badges of their high pretensions. The devotional spirit of these extreme Reformers was offended by those who appeared to them to claim a right of standing between them and God; and their jealousy was naturally fixed on bishops, on whom splendour and opulence had stamped a more worldly character than they thought becoming. The bishops of the Reformed churches they charged with peculiar inconsistencies; because, having visibly no warrant from the New Testament, they were obliged to derive their authority through the Roman, which they at the same time taught to be an idolatrous church. The Protestants, inconsistently with the spirit of their doctrines, but advantageously to their policy as a faction, made war principally against the external forms of the ancient religion; a course, perhaps, rendered inevitable by the direction in which the passions of the multitude never fail to run. But the Cross and the Surplice were assailed as the ensigns of a ritual and dictatorial system, against which a more pure and lofty spirit struggled among the Puritans, long before those who were impelled by it became conscious of its true nature.

Puritanism had appeared under Edward the Sixth. Its numbers had been recruited, and their zeal inflamed, by the return, at the Queen's accession, of so many exiles from the seat of Calvinism in Switzerland. The government, however inclined by humanity and prudence to indulge a scrupulous conscience, was not exempt from the common error of its age,—that obe-

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dience was as much due to the supreme power in matters of religion as in matters of state. Some circumstances peculiar to the situation of Elizabeth contributed to the exercise of this supposed right against the holders of these more advanced opinions. That princess was now at the head of the Protestant cause, and easily foresaw that a fearful struggle between the hostile religions was about to take place. She dreaded a division in the Protestant camp; regarding dissenters as mutineers who were likely to become deserters. Such were peculiarly obnoxious to her because they seemed to justify the adverse party in branding the Reformation as the parent of endless confusion. To Elizabeth, as the head of the most powerful of the Reformed states, whose honour and authority were identified with the safety of the Reformation, seemed especially to belong the power of maintaining union among its adherents, who, even when united, would still continue to be the weaker of the parties about to take the field.

The Puritans were powerful in council and at court. Bedford, Warwick, and Leicester, Cecil, Walsingham, and Knollys, were friendly to their cause. In the lower house of Convocation, a proposition to modify "the usages" (the name given to the practices alleged to be Papal) was rejected by the least of possible majorities, only fifty-nine to fifty-eight; and those who were inferior in point of numbers appear to have preponderated in learning and influence. Grindal hesitated about conformity; Fox protested against it. Jewell, celebrated as the champion of the Church, spoke harshly against the "usages," assigning the Queen's inflexible adherence to them as his only motive for acquiescing. Elizabeth, who had a queen's jealousy of power, and a woman's passion for splendour, became so much incensed by resistance, that she proceeded to extremities which ended in the lasting secession of the Puritans from the Church. The publications of this



body were forbidden by the Court of Star-chamber. Proclamations were issued against the printers, and even readers, of books unlicensed by the ordinary. Jewell refused to license a Puritan volume, saying, "I am afraid of printers; their tyranny is terrible."\* After several deprivations and depositions, after a strong manifestation of the aversion of the youth of Cambridge from impositions on conscience by human jurisdiction, a meeting of about one hundred persons was broken in upon by the officers of justice; who apprehended fourteen, bringing them before the Privy Council, on charges of absence from their parish church, and of having used a form of worship different from that enjoined by lawful authority. Several who refused to submit were imprisoned, but soon released. Thus began, in England, the persecution of Protestants by their fellow dissenters. The principle of intolerance was affirmed by deeds as well as by words. The minor machinery of persecution was set up, nay, was brought into activity; a pernicious example little excused by the limited extent of its immediate mischief.

No English blood had, however, for ten years been shed on the scaffold or in the field for a public quarrel, whether political or religious. In this important respect the period in question forms a happy contrast with the ten years which preceded her accession. It is probable that no great country could for centuries have boasted the like felicity.

This happy state of things was brought to a close by a revolt, which took place at the end of the present year, partaking both of a civil and religious character. This was the famous insurrection of Percy, earl of Northumberland, and Neville, earl of Westmoreland; whose domains stretched along the line of the northern border, and whose ungovernable but bold followers, inured to conflict, and trained in the surprises and

\* Strype, Annals, vol. i. part ii. chap. lii. p. 272.

CHAP. stratagems of border warfare, placed these lords among  
 XV. the most powerful and independent of the English  
 1569. barons. They were adherents of the ancient religion,  
 which still retained its ascendancy in the remote provinces; so much so, that it was calculated at the time that there were not then ten gentlemen in the north who approved the Queen's ecclesiastical measures.

The rebellion was encouraged by the Catholic states of the Continent, doubtless with assurances of succour. Philip broke through his frozen reserve when he rebuked the duke of Alva for speaking in friendly terms of England, which he called a lost and undone realm. "The case," says Sir Nicholas Throgmorton, "is not as in time past, when powerful neighbours contended for superiority. Now, when the general design is to exterminate all nations dissenting with them in religion (as is most apparent), what will become of us if the profession of the like faith with ourselves be utterly destroyed in Flanders and France?"\* The year before, Cecil had demanded redress for the detention of English vessels by Spain; notifying to the Spanish ambassador that preparations were being made for resisting these wrongs by arms. Secret information was also received from Paris of designs against Elizabeth; whose government was to be overthrown by the rescue of the Queen of Scots, and by a revolt at home, supported by Spanish and even French troops, and with the sanction of the Pope. Ridolpho, a Florentine banker in London, was the secret agent of the Pontiff in the affair.

As the moment for action approached, Morton, formerly a dignitary of the Romish Church at York, was sent from Italy, whither he had retired, with the title of apostolical penitentiary, to persuade his kinsmen in the north to take up arms for the restoration of religion. Nothing could have more effectually promoted his purpose than the tidings of which he could not fail to be

\* Throgmorton to Cecil. Haynes, p. 471.

the bearer,—that the new Pope had prepared a Bull against Elizabeth; which, with the temper and pretensions of the eleventh century, anathematised the Queen and all her adherents as heretics; deprived her of her right over England; absolved all her subjects from their oath of allegiance; enjoining all the inhabitants of her dominions, under pain of excommunication, not to dare to obey her commands.

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In consequence of the apprehensions thus excited, Mary was removed from Bolton, where there was a strong neighbourhood of Catholics, to Tutbury Castle, a place more distant from the borders. White, a gentleman of Elizabeth's household, warns Cecil against suffering many to have conference with her. "For besides," said he, "that she has a goodly personage, she hath withal an alluring grace, a pretty Scottish speech, and a searching wit, clouded [softened] with mildness."\* Mary found means, nevertheless, to send secret messages to Westmoreland, Northumberland, and others. Hartlepool, in Durham, was to be the port where the foreign auxiliaries were to land. The buzz of so many hostile preparations, in distant and various quarters, would have reached a government less watchful than that of Elizabeth.

Rumours of an insurrection had been prevalent early in autumn, which had caused the earl of Sussex to be sent to take the command in the north. Lord Hunsdon was shortly after despatched to Berwick, to second him. After several ineffectual efforts to recall the border chiefs to their duty, they were summoned, on their allegiance, to repair to court. Northumberland paused at the approach of peril. His followers, distrusting his wavering and inconstant disposition, now shrinking from the fearful consequences of what he had so rashly undertaken, had recourse to the expedient of conquering his fear of distant by that of present danger. He was

\* White to Cecil, Feb. 26. 1568. Haynes, p. 509.



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roused at midnight by one of his servants, named Beckwith, who frightened his master by calling on him hastily to arise and shift for himself; for that his enemies were about the park. The earl sped to the house of one of his gamekeepers, without waiting to ascertain who or how many these were. The bolder conspirators caused the bells of Alnwick to be rung backward, in order to increase the numbers and the confusion. The day following, Northumberland was driven to the irreparable act of marching at the head of his vassals to join Westmoreland at Brancespeth.

In the manifesto of these two lords they declared it to be their purpose, in concert with the other nobility of the realm, to provide for the safety of her majesty's person; to rescue her out of the hands of evil counsellors; to obtain liberty for their own consciences; and to settle true religion on such foundations as might supersede the interference of foreign princes, who would otherwise interpose to cure the long distempers of this distracted island. On their march to Durham they manifested their fidelity to the faith of their fathers by a flag, on which the body of Christ, with the five wounds received in the crucifixion, was painted; which was borne in front of their van by Norton, a venerable old gentleman of the country, who, with his five sons, thus devoted himself for the restoration of his religion.\* They purified the cathedral of Durham by burning the "heretical" (and probably in their opinion unfaithful) versions of the Bible, and the books of public devotion, which had been profaned by "heretics." Mass was publicly celebrated at Darlington. About nine days after, the Catholics mustered to the number of nine thousand on a moor near Wetherby; with which force they had

\* The share of the Nortons in this revolt, and the extinction of their family, are the subject of Mr. Wordsworth's *White Doe of Rylstone*,—a poem in which the blended

powers of history and legend, placed amidst beautiful scenes, and enthroned as it were in the remains of ancient piety, breathe a sage and solemn strain of poetical sentiment.

intended to march against York, if they had not been induced by the advance of the royal forces to secure the country behind them by laying siege to Barnard's Castle. This occupied them eleven critical days. Sussex began his march from York, reaching Hexham in about a fortnight. But by this time the insurgents had retreated almost to the borders of Scotland. The two earls fled into that country, leaving their followers to the mercy of the exasperated royalists; whose execution of justice was accounted in their own age rigorous, and would in our times be justly deemed cruel. Our information concerning particulars is defective, but sixty-six persons were executed at Durham, and many favourers of the rebellion in other parts of the country. Northumberland, having been made prisoner by Moray, was, long after, surrendered by Morton to the English government, who caused him to be executed at York. Westmoreland was more fortunate for the present, meeting a welcome from Carr of Ferniehurst and Scott of Buccleuch, chiefs of two border tribes, partisans of Mary. A signal act of baseness was perpetrated on this occasion by one whose pride and prejudices might have been deemed a security for superiority to such conduct. Robert Constable, the son of an ancient and distinguished family in Yorkshire, tendered his services to Sir Ralph Sadler, first as a spy to discover the number of the rebels; but soon after the flight of the two earls into Scotland (to use his own words)\*, "I waded deeply into a more treacherous kind of service, to trap them that trusted in me, as Judas did Christ." His intended victim was the earl of Westmoreland, who was either his uncle or cousin. At Ferniehurst, where the fugitive earl was receiving protection, Constable urged him to throw himself upon the mercy of the English government, as his best or only chance. The

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\* Dugdale, vol. i. p. 301.

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rest can be adequately told only in his own words:—  
 “The tears overhayled his cheeks abundantly: I could not forbear to weep to see him suddenly fall to repentance. When we retired into a secret chamber he said, ‘Cousin Robert, you are my kinsman, nearly come forth from my house, and one whom I trust and dearly love.’”\* Though the remembrance of near kindred did not shake the purpose of Constable, he knew how to turn it to account by reminding his employer what obstacles of affection he had conquered in his zeal for the public cause, and how much his demand for large sums of money was justified by such sacrifices. Westmoreland, however, escaped the snare, flying into Flanders, where he died fourteen years after, in the station beneath his habits, and, it may be hoped, abhorrent to his feelings, of commandant of a Spanish regiment; in the midst of the indignities to which such emigrants are habitually subjected to.

In defiance of defeat and punishment, Leonard Dacres, uncle of the Lord Dacres of the north, renewed the rebellion the year following, collecting three thousand men at his castle of Naworth, which is still standing, a beautiful specimen of the architecture of that age. On the banks of the small river Chelt, in this neighbourhood, Dacres made a hardy onset on the royal forces under Lord Hunsdon. The fight was a sharp one, and the event for a while doubtful. The frenzy of the Catholic party may be estimated from the fact, that there were in their ranks many desperate women, who not only fought stoutly themselves, but shamed their companions into resistance to the death. Three hundred were killed on both sides, which contemporaries considered as a great slaughter; being probably about a twentieth part of the combatants. Victory, however, declared for Elizabeth. The Catholic leader escaped by the speed of his horse into Scotland. Exe-

\* Sadler, State Papers, vol. ii. pp. 110—124.



cutions at York followed, of which we have few particulars ; and general submission was restored.

During these disturbances the regent earl of Moray was assassinated by one Hamilton of Bothwell-haugh, from motives of private revenge. On the day of the murder, Buccleugh and Ferniehurst, as if conscious that the strong arm which had often curbed their career had been withdrawn by that crime, entered the northern counties of England, burning and destroying the houses of friends and enemies impartially. To take revenge for this inroad, as well as to punish the Scottish borderers for their aid to the Catholic insurgents, Sussex commanded Scrope and Porter, his lieutenants, to march into Scotland, with instructions to plunder, waste, burn, or otherwise destroy whatever they met. The castles of Home and Ferniehurst were destroyed. The palace of Hamilton, the strongest fortified dwelling in the accessible part of Scotland, also fell. A few stragglers entered Edinburgh, rather as a mode of showing defiance and triumph than with any serious purpose. At length, satiated with a month's ravage and destruction, they returned without molestation.

The fate of Moray's reputation is singular, even among conspicuous and active men, in an age torn by contending factions. Contemporary writers agree in nothing, indeed, but his great abilities and extraordinary resolution. Among the people he was long remembered as the "good regent ;" partly from their Protestant zeal, but in a great measure from a strong sense of the unwonted security of life and property enjoyed in Scotland during his vigorous administration. His Catholic countrymen abroad bestowed the highest commendation on his moral character, which is not impugned by one authenticated fact. But a powerful party has for nearly three centuries defamed and maligned him, in order to extract from the perversion of history a screen for his unhappy sister ; in fabricating

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which they are compelled to assume, that she did nothing which she appears to have done, and that he did all that he appears to have cautiously abstained from doing.

The northern revolt seemed thus to be finally extinguished. That event was closely connected with facts which, after its suppression, led to judicial proceedings against the first subject in the realm. The duke of Norfolk, no unworthy son of the illustrious Surrey, and heir to his vast possessions, added to that share in Elizabeth's favour which her mother's kindred always enjoyed with her, the better sources of influence arising from his own excellent qualities. Among these were particularly distinguished a facility of temper, and a generous proneness to trust, which, though they contribute to the charm of private life, are in troublous seasons irreconcilable with the sternness which then becomes indispensable. He professed the Protestant faith; but, like others of the old nobility who had been bribed by grants of church lands, he was indulgent, if not favourable, to the ancient religion. Elizabeth, who had already bestowed on him high offices and dignities, gave him higher proof of her confidence still by appointing him first commissioner to hear the cause of the Queen of Scots and her revolted subjects. Thus placed at the head of a body which, in spite of every protestation to the contrary, was to determine between sovereigns and nations, the perils of his slippery eminence were augmented by his compassionate nature and susceptible heart. To enter into the particulars of these conferences would be unseasonable when we are concerned only with their influence; needless also because the facts and reasonings then under consideration have already been summarily recounted. A few sentences will be sufficient to render their effects on Norfolk's conduct intelligible. In the conference at York on Mary's affairs, Norfolk and Sussex were the representa-

tives of Elizabeth; the bishop of Ross and Lord Herries of Mary; and Moray, Lethington, and Buchanan of the king and kingdom of Scotland. It cannot be denied that all the deputies reflected credit on the governments which employed them. Mary's commissioners complained of facts which were undisputed; the revolt against their royal mistress, her imprisonment, her compulsory resignation, the mockery of placing her infant son on her throne, and finally her expulsion from her native kingdom, which had compelled her to seek refuge in the territories of her royal sister. The answer of Moray, who hesitated to avail himself of his true defence, was faint and inadequate. He professed that his friends had taken up arms only against the murderer of Darnley, who had seized and ravished the queen; that the latter had been confined only for a season for her own safety; that her abdication was voluntary; in a word, throughout substituting forms for facts, and words for things. Mary's reply, as long as the controversy remained on this ground, was unanswerable. Moray was thus reduced to the alternative of either acknowledging that he was a rebel and a usurper, or of shutting the door to reconciliation, and cutting off all retreat, by accusing her of the most atrocious crimes. As long as he withheld the real charge, he considered a compromise with his sister as still possible. He persisted in enduring the obloquy of defeat, until he had ascertained whether Elizabeth, so long unwilling to support the example of rebellion, would ensure him against the dangerous consequences of making the accusation. He privately laid before the English commissioners the evidence of her guilt, comprehending the seized casket, containing the love-letters and verses to Bothwell, and two promises to marry him. Of the latter one had been written before the pretended trial, by the hand of the earl of Huntley, Mary's most powerful and faithful adherent. Norfolk



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acknowledged that these proofs were unanswerable. Moray's charges were laid by Elizabeth before her Privy Council; who resolved that, till they were answered, it was impossible to receive Mary, or to aid her in remounting the Scotch throne. On their being communicated to Lord Herries and his colleague, the latter refused to make any answer, "unless the Queen of Scots were allowed to justify herself in the presence of the queen of England, the whole nobility of the kingdom, and the ambassadors of foreign states." \* This condition must have been felt by the proposers to be equivalent to a negative. It was too late, just at the moment when the accusation had assumed its most alarming form, to object to a mode of proceeding in which they had acquiesced while the charges were comparatively trivial. They well knew that the exculpation of Mary had, from the beginning, been declared to be a preliminary to her admission to the presence of Elizabeth. They could not have been ignorant that a numerous assembly, such as that to which they were now appealing, was not the fittest instrument for extracting truth, even if it had been possible for Elizabeth to stake the interests of her crown and people on the issue of the harangues of a single day. "Had the objections to the documentary proof against Mary," says one of the greatest of historians, "been ever so specious, they cannot now be hearkened to; since Mary, when she could have been fully cleared, did in effect ratify the evidence against her, by recoiling from inquiry at the critical moment." †

During the progress of this investigation, the ambition of Norfolk conceived the project of a marriage with the Queen of Scots. Commiseration, the restraint of nature on absolute power, was then beginning to act in behalf of that princess with a force which has not been spent in three centuries; and if it was aided in the bosom of the duke of Norfolk by the renown of beauty

\* Anderson, vol. iii. p. 31.

† Hume, chap. xxxix.

and by the lustre of a crown, he will not on this account be severely blamed by those who look with some indulgence on the "last infirmity of noble minds." Moray encouraged his hopes, as he himself alleged, because he did not know that the idea would be displeasing to Elizabeth; but probably still more because he thought that such a marriage might, with due securities, compose the disorders of Scotland. The consent of the kings of France and Spain was secretly obtained; and the duke of Alva urged the necessity of a similar arrangement with England. On the explosion of the northern revolt, Elizabeth became alarmed at the projects ascribed to Norfolk. The latter had, however, with his colleagues at York, manifested the utmost horror at the contents of the casket above referred to, and intimated, as strongly as deference to the judgment of his mistress would allow, his belief that the papers were genuine. He had even privately owned to Leslie that "he bare a good will towards the Queen of Scots, but that he had seen the letters which Moray had to produce against the queen, by which such facts would be proved as would dishonour her for ever." \*

Elizabeth, strongly suspecting that Norfolk had fallen into snares laid by Mary's partisans, expostulated with him on the dangerous councils to which he seemed to be leaning. "Bethink yourself," said she, "of the pillow on which you are about to lay your head."† His reply was, "I will never marry a person with whom I could not be sure of my pillow." The words of Elizabeth conveyed a bitter sarcasm against Mary, and were perhaps meant also as a covert menace to the duke; but they seem to have proceeded from a sort of rough friendship for him. Norfolk's adoption of so terrible an im-

\* Confession of Bishop Leslie in the Tower, apud Murdin, *State Papers*, p. 53.

† Camden, vol. i. p. 188.

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1570. high character, would have been such a strain of dissimulation, if insincere, that Elizabeth was warranted in trusting to its truth.

Norfolk was soon after committed on further suspicion to the Tower, where he remained for nearly a year. When he was enlarged, it was on a written engagement that he would never take any steps towards the marriage, without the permission of Elizabeth. He was allowed to return to his own mansion, under the mild custody of Henry Neville. Ere many months had elapsed, however, he was recommitted to the same prison, charged not only with his former untried treason, but with a new offence of the same heinous character, in his revival of negotiations with Mary, Philip, the duke of Alva, and Pope Pius, for the invasion of England.

To form a just estimate of our ancient trials will be owned, by all who have attempted it, to be no easy task. Our accounts of them are often deficient; still oftener unsatisfactory, from their popular style, and want of legal phraseology. This, though it perplexes the general reader, yet, by its precision and permanence, enables a lawyer either then or afterwards to make an intelligible translation of it into common speech. To the difficulties arising from these circumstances it must be added, that the rules of evidence (to say nothing of other principles of law) then observed were often diametrically opposite to those now accounted inviolable. Our ancestors were accustomed to jumble together indiscriminately all kinds and degrees of proof; while we, rushing to the opposite extreme, by our rigorous maxims have excluded opportunities of additional information. In considering a trial of ancient times, we ought to reserve our censure for cases in which either the unchangeable principles of reason, justice, and humanity were violated, or in which the rules of law,



as then understood and practised, were, in defiance of justice, openly set at naught.\*

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On the trial of Norfolk, under the first head of charge, it was sufficiently established that he had secretly sought marriage with a princess who had never renounced her pretensions to the crown of England; that he had given clandestine counsel to the rebel lords; that he had made private advances of money to the rebels in Scotland, who were the Queen's enemies; that he had thrown out hints, that, if his marriage were forbidden by his sovereign, he should not shrink from maintaining his right of independent action by arms; and that he had obtained promises of support in his pursuit, from the potentates of the continent, who were conspiring the destruction of England. His second alleged treason consisted in the fact that, after he had been forgiven by Elizabeth, he had again renewed his secret intercourse with Mary, in breach of all his promises; and that, in spite of a clemency for which he had professed gratitude, he had once more listened to the proposals of Rudolphi and the allies of Bayonne, that he should take a part in measures which aimed at the deposition of the queen of England, and were likely to terminate in her destruction.

The Italian now mentioned appears to have been sent by Mary as her minister to the Pope, the king of Spain, and the duke of Alva, to obtain aid in money and troops. He brought back favourable assurances: the

\* I should not have said so much on a legal proceeding, if I had not been compelled, in some degree, to dissent from one of the most valuable, and, I must add, one of the most interesting, works of this age, — Mr. Phillipps's abridgment of the State Trials, which wants nothing but a continuation of equal merit. That want may not indeed be soon supplied; for it is the work of a man

who surveys the most contested, the most obscure, and the most bloody proceedings in our history, with the sagacity, probity, and sincerity of the wisest magistrate.

I rather agree, however, with Mr. Hume, who considers the proceedings against Norfolk as considerably justified by the ordinary practice of the age. Phillipps's Abridgment, vol. i. pp. 32, 33.

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proposed union was assented to by those great personages; though the king of Spain endeavoured to clog it with the condition that Norfolk should declare himself a Catholic, and that the prince of Scotland should be sent for education to Spain. The perfidious envoy declared to the Privy Council that he had proposed an insurrection to the accused for the purpose of obtaining the repeal of the laws against Catholics, and the consent of the Queen to his union with Mary, to be carried into effect either by English insurgents alone, or through a conjunction with the duke of Alva, who had undertaken to land in England at the head of ten thousand men.

Norfolk, on his trial, conducted himself with dignity, and defended himself with an ability which the accounts of historians, who vie with each other in praise of his virtues, would not have taught us to expect. On the other hand, Wilbraham, attorney-general of the court of wards, distinguished himself by early specimens of that genuine eloquence which, by its power over reason and feeling, influences the course of human affairs. There is no reasonable ground for doubting that the accused had actually incurred the penalties of treason. The secret matters urged against him tally so exactly with well-known facts and with his own admissions, that all the confessions of the other conspirators seem only to reveal the natural consequences of his acknowledged conduct. That the depositions of witnesses not confronted with the prisoner were read against him is an instance of a most defective jurisprudence; but, being general at the time, it neither affords a presumption that the government had anything to hide, or that wrong was intended against the accused. It is otherwise with torture, or even with threats; which, without any reference to established rules of law, have in their own nature a tendency to abate or to destroy the value of the testimony obtained by employing them. But this important consideration is outweighed, in the case

under consideration by the subsequent silence of the bishop of Ross, one of the witnesses, whose depositions were read; who, though he outlived the duke for many years, in which he never had any measures to keep with Elizabeth, neither alleged that his own examinations were falsified, nor contradicted the accounts given by others of negotiations of which he had had the chief conduct. Norfolk's protestations against the charge of an attack on the Queen may be reasonably considered as referring to plans of assassination. It is also an act of justice to observe, that he, whose ancestors had taken so large a part in the wars of York and Lancaster, probably regarded a rising for a redress of grievances as being not only innocent or meritorious, but perhaps as not amounting to treason in the eye of the law.

Norfolk was unanimously found guilty, and judgment of death was necessarily pronounced upon him. But Elizabeth hesitated to inflict it on so popular a noble, the chief of her nobility, and her own friend and near kinsman. A warrant for his execution was issued, but it was countermanded at the unusual hour of eleven at night. After two other warrants had been countermanded in like manner, a fourth was obtained from the Queen as she seems to intimate, by importunate counsel, which, however, she again recalled at two o'clock in the morning. These circumstances are more indicative of conflicting emotions, than of the hypocritical policy to which they have been ascribed. We learn from Cecil that Elizabeth mourned for the death of the duke of Norfolk. And it is not unreasonable to believe with Camden\*, that he would have been spared if the rumour of a conspiracy to release him had not supplied the sterner statesmen with a specious reason for his execution. When at last he was put to death, he was the only nobleman who perished on the scaffold during the first fourteen years of Elizabeth's reign. The people, to

\* Camden, p. 225.



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whom he was endeared by his benignity and gracious deportment, not to mention the fine proportions of his person and the manly beauty of his countenance, were moved to compassion by his fate. They called to mind his father, adorned by the fame of letters and of arms, who had five and twenty years before perished on the same spot. Elizabeth betrayed her sense of the unpopularity of the execution, when the duke's sister, Lady Berkeley, two years after, having knelt down to obtain a grace from her, she answered in haste, "No! no! my Lady Berkeley! We know you never will love us, for the death of your brother."\* Sir Ralph Sadler, in a letter full of insolence and sarcasm, described the impression of Norfolk's conviction on the Queen of Scots. During the week of his arraignment and trial, "she never once looked out of her chamber." When she heard the conviction noised abroad in the household, "this queen wept very bitterly, so that my Lady Shrewsbury found her weeping and mourning so as to ask the queen what ailed her; to which she answered, that my lady could not be ignorant of the cause."† What previous faults of such a woman could have disposed a manly spirit to make her generous sorrows the subject of ribaldry?

Much of the negotiation to restore Mary by a union with Norfolk was carried on through Leslie, her representative at the court of London, who was committed to the Tower, where he confessed more than was suitable to his deserved reputation for faith and firmness. This prelate complained loudly that the sacred, because useful, privileges of ambassadors had been violated in his person. To his remonstrances the English government returned a twofold answer. They contended that the exemption of ambassadors from laws to which all other

\* Fosbroke, Extracts from Smyth's Lives of the Berkeleys, p. 190. (London, 1821). For some further

anecdotes of Elizabeth, see Appendix D.

† Ellis, Second Ser., vol. ii. p. 329.

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resident aliens were amenable, had for its professed object the preservation of amity with foreign states; but that a crime so flagrantly adverse to this object as high treason could not be included within diplomatic inviolability. They urged, again, that as sovereigns negotiate only on behalf of the communities who own their authority, a dispossessed sovereign wanted the quality essential to the right of sending ambassadors. They could consider Leslie as no more than the ordinary agent of a princess who, by her abdication, had become a private individual; and Elizabeth could not consent to clothe that agent with the immunities of the diplomatic character without contradicting her own recognition of the young king of Scots, and betraying the interests of her neighbours and friends in Scotland. The English civilians, who were consulted on this grave occasion, determined that the most legitimate ambassador would forfeit his immunities by exciting rebellion against the state with which he was commissioned to cultivate friendship; and that the agents of a prince legitimately deposed could not be clothed by him with the irresponsibility of a public minister. On the other hand, they answered, that a prince not lawfully deposed, and imprisoned in a foreign territory, retained his right of sending privileged ministers; a proposition which seems to be at least laid down with inconvenient latitude. On the two more pertinent questions, the opinion of the English civilians, though supported by specious reasons, is at variance with the practice of the best times; and would, if enforced, not a little contract that ample security which is essential to the vigorous performance of the duties of an ambassador. Although the misconduct of an envoy belies his mission, yet there are cases in which a foreign state may think fit to treat acts as treason which his own government may have directed as their lawful command. Treason, though more directly opposed to a minister's duty than any other crime, is

CHAP. also the very offence in which a fair trial is most nearly  
 XV. impossible. In modern times, doctrine and usage agree  
 1572. in vesting in the offended state the right of sending  
 back the delinquent, and of using such means of expelling him from its territory as are necessary to its own safety. The answer to the second question would, in strict law, have been unexceptionable, if the legality of the deposition had not been needlessly introduced, and if permanent dispossession had been substituted for legal deposition. The right of accrediting inviolable ministers depends on the fact, that a nation obeys a government which can regulate the conduct of its subjects to foreigners; not upon the often very doubtful question whether the actual rulers are also lawful. This no foreign state can justly determine. The length of possession, however, its origin, and the character of its exercise, are important, though undefinable, circumstances, which, in cases where possession and obedience are disputed, may affect the policy of foreign states.\*

About a year before the execution of the duke of Norfolk, one Dr. Story, a Catholic civilian of considerable note, suffered death, though not for his religion. This man, who had been professor of civil law at Oxford under Henry the Eighth, and opposed the Reformation with ability in the House of Commons on the accession of Edward, became in the reign of Mary one of the chief instruments of Bonner's anti-Protestant malignity. After the death of that queen, he declared that, far from regret for these executions, he rather lamented that "instead of lopping off boughs and branches, the axe was not laid to the root of the tree:"

\* Those who are disposed to investigate this subject, will find it most learnedly treated by Bynkershoek, "*De Foro Legatorum*," Opp. vol. ii. p. 121. edit. 1761; the classical work on the question. The majority of readers will be satisfied

with Vattel, lib. iv. c. 7, 8, 9.; and, for the modern practice, they will find "*Kluber, Droit des Gens moderne de l'Europe*," 1819, and "*Martens's Précis du Droit des Gens*," 1821, useful.



words which portended no good to Elizabeth. Soon after the accession of the latter he fled to Antwerp; where Alva, after the reduction of that city, took him into the Spanish service, employing him as a spy, which nothing but his furious zeal could have disposed him to have endured. To the English residents or traders he became necessarily odious; and their hatred against him was embittered by a proclamation interdicting all commercial intercourse with Hamburgh and Northern Germany, to prevent the contagion of heresy from spreading into the Netherlands. A party of them entered into a plot against him. Sending a messenger to inform Story that an English ship had just arrived full of heretical books, they urged that no time was to be lost if he wished to hinder the vent of such poison. He hastened to the shore, and, entering the ship, went below, where he was told that the volumes were hidden. No sooner, however, had he been caught in the snare, than Packer, the master, caused the hatches to be shut down, immediately set sail for England, and on his arrival delivered his prisoner to the more regular authority of the magistrates of Yarmouth. The Privy Council thanked the magistrates as for an act of spontaneous loyalty, which had been the first means of apprising them that Story was a prisoner.

On Story's trial, when charged with various acts of treason, he defended himself on the ground that he was not an English subject, having sworn allegiance to Philip. In answer to this, his accusers contented themselves with asking him where he had been born. On his answering "In England," they condemned him on the principle that no man can renounce his allegiance to the government of his native country; a principle which was then undisputed in Europe, and is still established in our kingdom. He suffered the inhuman punishment inflicted by a barbarous law on traitors; of which some writers have particularised the

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horrible circumstances in the narrative of his case, as if it had been peculiar to him, and as if it had not been for ages before and after his execution the legal punishment of treason. It must be added that, in civilised times, when executioners, more humane than lawgivers, by inflicting death before the execution of the other horrors of the sentence, had practically abrogated the law, converting what was meant for torture of the living into indignities offered to the remains of the dead, there were not wanting statesmen and lawyers, in the British House of Commons, to make an obstinate stand for the retention of a sentence of such indecent and unmanly atrocity, that the particulars of it cannot be exhibited in their native hideousness.\*

At the moment when the sky of the reign which we have reached was beginning to be darkened, three of those versatile politicians who had the art or fortune to slide unhurt through all the shocks of forty years of a revolutionary age, were released from the necessity of farther exertions of their address. The marquis of Winchester, who had served Henry the Seventh, and retained office under every intermediate government, till he died, in his ninety-seventh year, with the staff of Lord Treasurer in his hands, is perhaps the most remarkable specimen of this species preserved in history. William Herbert, whom the succeeding Henry had enriched by a grant of the monastery of Wilton, and ennobled by the title of earl of Pembroke, had with open arms devoted himself to every sovereign, and had the nimbleness to acknowledge and desert the excellent queen Jane in her reign of a few days. When Mary restored Wilton to the nuns, he received them, as we are told, cap in hand; but when they were suppressed

\* Parliam. Debates, vol. xxv. p. 576.; xxviii. Appendix, 84. It should be for ever remembered, that on the 5th of April, 1813, a bill to take away this cannibal punishment,

proposed by the wise and virtuous Romilly, was lost in the House of Commons by a majority of 55 to 43. In the next Session it was indeed carried. Stat. 54 Geo. 3. c. 146.

by Elizabeth, he drove them out of the house with his horsewhip, addressing them by an appellation which implied their constant breach of a severe virtue which they had vowed to observe. Sir William Petre, who had been secretary of state under Henry and his three children, was a more favourable sample of the same race, who kept his station by the usefulness of his services, without any vices but those of equal support of good and bad governments.

A parliament, which assembled in these years, furnished the first considerable instance of a pacific but vigorous resistance in the Commons to the power of the crown. It has already been remarked, that the necessity which had compelled Henry the Eighth to obtain parliamentary concurrence, and thereby national support, to the violent revolutions which he was making in the regal succession and the ecclesiastical establishment, had the most decided tendency to strengthen the authority of parliament. Both Edward and Mary were obliged for the like purpose to establish the jurisdiction of that assembly. That Elizabeth contributed yet more largely to the same result has already appeared in the short review of these matters which is now being closed.

Before this period, the struggles for the establishment of liberty, though breathing an exalted spirit, and pregnant with instructive lessons to the founders and improvers of free institutions, yet occurred in circumstances so unlike ours, and were mingled with so much violence, that, even where our information respecting them is complete, we cannot venture to follow them closely, or to copy them with that deference which is due to the precedents of a calmer period. Much of what was done by Elizabeth must be blamed, but a great part of it may be explained by the fact of an immature constitution, by the perils which encompassed her, and by her popularity, disposing people to ac-

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quiesce in the irregular measures of a monarch who was rather their leader\* than their sovereign. This princess, who was so fortunate (whatever may have been her motives) as to be engaged in a constant and hazardous contest for the preservation of national independence and religious liberty, was easily pardoned by her people for a few infractions of the rights of individuals. It must be acknowledged, however, that her example was in this respect dangerous to those of her successors who, without the same justification, employed their feebler faculties in more extensive transgressions.

The first impulse towards a systematic political opposition to the court arose from religion, the prime mover of all the great events in that age. One Strickland, a grave and ancient man, like most others zealously affected to religion, was a member of the sect, or rather party, called "Puritans," who were desirous of purifying their worship from practices abused by superstition, and of exalting the fervour of their piety to a pitch which would render it more independent of outward ceremonies. He moved the Commons for a conference with the Spiritual lords on the means of bringing things back to the purity of the primitive church, and to the divine institutions of Christ himself; but more especially to reform the more flagrant abuses by which papists had been allowed to hold ecclesiastical office. "Boys," he said, "were permitted by dispensations to have livings, unqualified men promoted, and some al-

\* . . . . As in the period of her caution, so in that of her energy, the strength of Elizabeth consisted in her acting at the head of her people. She was a demagogue. In that character her influence spread among Protestants of every nation. Her sex prevented

her pursuit of popularity from lowering her dignity; her commanding genius, and her power of arming herself with sternness when the occasion demanded it, contributed still more to the same effect. . . . . Transposed from Appendix C.

lowed to have too many benefices." The conference was appointed, and several bills for reform in the church were in consequence introduced. Only one, however, against leasing benefices, was passed into a law. Strickland was called before the Privy Council; by whom he was reproved for his boldness, and commanded to abstain from attendance in the House of Commons till he should have leave. The Queen soon yielded to the intimations thrown out that the house would require his presence, and he quietly resumed his seat. The ministers pretended that the restraint laid on Strickland was not on account of words spoken, but for his exhibiting a bill against the prerogative of the Queen, which was not to be tolerated; meaning probably by these harsh words, that as the Act of Supremacy had subjected all ecclesiastical matters to the Queen as head of the Church, it would be unconstitutional in the Commons without her previous recommendation to entertain questions of which the law had entrusted the sole determination to another constitutional authority. On occasion of the passing of measures against non-residence and simony, she caused it to be intimated to the house "that she approved their good endeavours, but would not suffer these things to be ordered by parliament:"\* probably meaning that she would protect her supremacy by the exercise of her negative, if they proceeded to invade her ecclesiastical prerogative. The Commons were still too unrefined to resent as a breach of privilege so irregular a communication of her intention. Of all such, that which savoured the least of an affectation of unbounded or even inherent power, was a claim derived from that royal supremacy over the Church, of which the parliamentary origin had been so fully established by recent and striking examples.

\* D'Ewes Journal, p. 185.

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On the case of nine ancient boroughs which had returned no burgesses to the last parliament, Wentworth spoke with singular severity of Sir Humphry Gilbert, the celebrated navigator, whom he described clearly, though without naming him, as disposed "to flatter and favour the prince; comparing him to aameleon, which can change itself into all colours saving white, as the speaker to whom he alluded could change himself to all fashions but honesty."\* This bitterly personal speech, which did not spare the flattered, though it was aimed against the flatterer, was passed over without animadversion. The House resolved, in reference to the question before them, that "the burgesses shall remain according to the return, the right of the towns being to be elsewhere examined, if need be." The house had exercised a similar jurisdiction, several years before, in the case of new representatives from boroughs which had not lately made any return.† On other subjects affecting the rights of election they exercised judicial power over offences against a free and pure choice of members, by fining the borough of Westbury in the sum of twenty pounds, for the offence of the mayor, who had sold the seat to one Walter Long for four pounds. In discussing a bill concerning the validity of the elections of burgesses not residing in or near the boroughs which chose them, the House was led from these judicial proceedings to general reasonings on changes in the constitution of that assembly itself, not altogether dissimilar to those which in modern times have borne the name of Parliamentary Reform. Loud complaints were made in that debate of nominations of candidates by noblemen. It was proposed to amerce any borough which should

\* D'Ewes, p. 175. Wentworth Willis, *Notitia Parliamentaria*, vol. iii.  
was member for Barnstaple, and

Strickland for Scarborough. Browne † D'Ewes, pp. 156—159.



choose according to such nomination, in the (then not inconsiderable) sum of forty pounds. "It was meant," says a speaker whose name is not preserved, "that men from every quarter, and of all sorts, should come to this court, and that they should freely be chosen." Another member proposed that one of the members should be resident, but that liberty should be left in the choice of the other; in order that there might be no want "of men learned and able to utter their opinions."

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The same party of zealous Protestants, who were endeavouring to root out all Romish abuses in the Church, were prompted by an equal solicitude to provide against the overthrow of the Reformation by the Queen of Scots, the hope of the Catholics. They were of opinion that the designs of the latter could only be defeated by the marriage of Elizabeth, which would afford some likelihood of a Protestant succession. Hence the conflicts of this growing party with the Queen on this subject. In a late parliament the Queen had expressly forbidden the house to proceed farther; and yet, two days after, she had been content to withdraw her inhibition. The Lord Keeper, in answer to the Speaker of the House of Commons, had indeed warned that house, "that they would do well to meddle with no matters of state but such as were propounded to them, and to occupy themselves in other matters concerning the commonwealth." \*

It is probable that, if the Lord Keeper had been urged to explain these alarming words, he would have taken refuge in the distinction between advice and command. He would probably have represented "matters of state" as meaning negotiations, international correspondence, and such other matters as ought to be left in that secrecy which their nature requires, and from

\* D'Ewes, pp. 141, 142.

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which there is the less reason to drag them, that they cannot, in most cases, be carried into full effect without parliamentary grants, or without laws in which parliament must concur. Grave as the Lord Keeper was, he might have hinted that decorum towards the crown, which was a secondary principle of the constitution, almost forbade the exposure of the negotiation regarding the marriage of a female sovereign to the licence of public debate.

Throughout these transactions the great Queen found herself more than once under the necessity of retiring from the exposed position to which she had advanced. Nor was it only in her abandonment of hazardous measures, but in the frequent lowering of her tone, and more especially in the unsubdued spirit of her opponents, that the progress of parliamentary power may be most clearly discovered. The greatest accession of its influence, however, arose from the policy necessarily adopted by her, as it had been by her father, of resting on its authority as the foundation of the throne. By an enactment about this time, which was professedly founded on present danger, and to continue in force only during the Queen's life, many acts were raised to the character of high treason, of which the greater part by judicial construction have since become permanently overt acts of the ancient crime of compassing the death of the sovereign. By the fourth section it was provided, "that any person who shall affirm or maintain that the Queen's majesty, with and by the consent of the parliament, is not able to make laws of sufficient force to limit and bind the crown of this realm, and the descent, inheritance, and government thereof, every such person during the life of her majesty shall be adjudged a high traitor, and shall suffer and forfeit as in cases of high treason."\* By this provision the doctrine of inviolable

\* 13 Eliz. c. i. s. 4.

succession was solemnly condemned, the power of altering it was affirmed, and that high competency was declared to be not in the monarch alone, but in the monarch with the consent of parliament. It is wonderful that, after such a declaration of our constitutional law, a powerful party should have grown up in England on the avowed principle of an indefeasible and indeed divine right of succession.

Upon a copy of the Bull of Pius the Fifth, excommunicating Elizabeth Tudor and the English people, being affixed by one Felton to the door of the bishop of London's palace, it could have been no subject of surprise that a measure against this specific form of danger should have been adopted. It was made "high treason to obtain or receive from the bishop of Rome any bull, writing, or instrument, containing any matter or thing whatsoever;"\* a persecuting enactment, which reduced Catholics to the alternative of exposing themselves to death, or of foregoing many of those moral relations of life which were in their opinion legitimatised only by the intervention of Papal authority. In order to preclude the possibility of evasion, the statute adopts a principle of injustice, outlawing the members of a great communion to avoid the risk of the introduction of what might lead to inconvenience. It might doubtless be said, and is indeed intimated in the preamble of the bill, that those who acknowledged the power of a Pope who had issued the deposing bull were perpetually committing treason; granting to the Queen no more than a truce till they were better prepared for warfare. By such modes of reasoning, however, all tyranny might be justified, and peace might be for ever banished from human society. Greater discrimination in making laws, and a more assiduous vigilance in carrying them into execution,

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\* 1 Eliz. c. ii.



CHAP. will always secure a government, in so far as that object  
XV. can be obtained with safety to the permanent well-being  

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1572. of mankind. It must, however, be allowed, that it  
would be unjust to impute heavy blame to an European  
government of the Sixteenth century for not reaching  
that elevation to which scarcely any state in the Nine-  
teenth seems to aspire.

## APPENDIX.

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### A.

#### SPIRIT OF COMMERCIAL ENTERPRISE.

. . . . . The growing importance of trade, exemplified in the life of Gresham, was evidenced by the multiplication of unskilful and bad laws to monopolise navigation and to regulate the trader in the pursuit of profit.

The progress of trade might, however, have been more slow if it had depended alone on those exact calculations of advantage from accessible and well-understood sources which are its natural province. But the voyages of the Spaniards and Portuguese had disclosed to the dazzled imagination of mankind new worlds, and races of men before unknown; the owners of treasures, apparently unbounded, which they had neither power to defend, nor skill to extract from the earth. The spirit of commerce mingled with the passion for discovery, which was exalted by the grandeur of vast and unknown objects. A maritime chivalry arose, which equipped crusades for the settlement and conquest of the new world; professing to save the tribes of that immense region from eternal perdition, and disguising expeditions of rapine and destruction under the illusions of military glory and religious fanaticism. Great noblemen, who would have recoiled with disgust from the small gains of honest industry, eagerly plunged into associations which held out wealth and empire in the train of splendid victory. The lord treasurer, the lord steward, the lord privy seal, and the lord high admiral were at the head of the first company formed for the trade to Russia on the discovery of that country. For nearly a century it became a prevalent passion amongst men of all ranks, including the highest, to become members of associations for the purposes of discovery, colonisation, and aggrandisement. The colonies so formed became a species of

subordinate republics, the vassals of the crown of England. By links like these, the feudal world was gradually allied with the commercial, in a manner which civilised the landholder and elevated the merchant.

Among other maritime projects, Robert Thorne, a merchant of London, who had long resided at Seville, suggested to Henry the Eighth the opening of a trade to the Spice Islands and the eastern continent, by voyages through the polar seas, farther from Newfoundland to the westward, or round the continent of Scandinavia towards the east. This bold project was not clogged by too minutely accurate information. "The sea," said Thorne, "can only be dangerous from ice within two or three leagues of the pole." The distance from England to the Spice Islands by these untried courses would, by Thorne's calculations, be two thousand miles less than the voyage from the Spanish peninsula, either westward or eastward. In the last year of the reign of Edward the Sixth, Sir Hugh Willoughby was sent, with three ships, to discover a north-eastern passage to the Indian Seas, by exploring the northern coast of Europe and Asia. This, though ascertained as far as the north-eastern point of Norway by Alfred, had been so totally covered with darkness subsequently, that the maps of the sixteenth century of that part of the world were altogether disfigured. This small squadron conveyed nearly one hundred mariners, eleven merchants, two surgeons, and one chaplain, besides officers. The issue of the expedition was disastrous. Nothing is known of the fate of Willoughby's own ship, but that the vessel and the frozen bodies of the company were found, in the following year, at the mouth of a river in Lapland; with the melancholy fragment of a manuscript journal, carrying the account of the progress of the voyage to the period of the determination to winter in that inclement region. Richard Chancellor, who commanded one of the ships, reached a solitary port on the White Sea, called St. Nicholas, since grown into the considerable town of Archangel. This he found to belong to a prince who then first assumed the title of czar of Muscovy. Ivan Vassilowich the Fourth, the reigning czar, was a barbarian of vigorous faculties, who, in the midst of brutal vices and scarcely credible crimes, showed many symptoms of regarding with generous eyes the civilisation which he dimly saw rising beyond his western frontier. Foreign



physicians were seen at his court." He procured workmen and artists from England; and a colony of three hundred men of useful and even refined occupation was prevented, by the jealousy of mean monopolists in the Hanse Towns, from embarking for Muscovy in quest of fortune. After a toilsome journey of fifteen hundred miles, Chancellor reached the imperial residence of Moscow, which he and his companions estimated to be of the size of the city of London and suburbs. The capture of Narva had then procured for the Russians some means of communication with Europe, through the Baltic, which brought to the court of Ivan other foreign envoys besides the English mariner. Among them was Possevino, an Italian Jesuit sent by Pope Gregory the Thirteenth, and Sigismund, Baron Hirberstein, ambassadors from Charles the Fifth and his successor Ferdinand.

The account of Muscovy which we owe to these early travellers agrees remarkably with the simple but more descriptive narratives of Chancellor and his successors. The Czar esteemed the friendship of Elizabeth, who paid court to him, and offered him an asylum in her dominions if the hostility of his subjects or neighbours should render such a retreat desirable. He granted ample privileges to the English traders, and expressed a warm desire to wed an English lady from the number of the Queen's kinswomen. Though Elizabeth had not always been gentle to the ladies of her blood, she would not assuredly have doomed the most obnoxious of them to a fate so cruel. Some of the favours granted to an English ambassador will afford a specimen of the administration. "Leave for Richard Transham, an Englishman, the Czar's apothecary, to go home with his wife and property; the same permission to Richard Elmes, a surgeon, and to Jane Richards, the widow of Bommell, a Dutch physician, who was roasted to death in the city of Moscow," are specimens.

The attempts of the navigators to push their voyages far to the eastward appear to have closed in disappointment. But by the conquests of the Mahometan principalities of Casan and Astracan, on the Volga, Ivan became master of the Caspian; which opened a new course for English adventure towards regions renowned for their wealth. Anthony Jenkinson employed thirty-six years of his life in journeys and voyages so extensive and various, that it is difficult to understand how any

man, in an age when languages and geography were so little known, could have accomplished so much. His travels stretched from Algiers to the northern extremity of Russia, and from London, by Moscow, to Persia, and through that country to Bokhara. The existence of a traveller so enterprising, so persevering, and necessarily so intelligent,—the extent and judicious selection of his objects and means,—would of themselves be sufficient to show the nature and force of the impulse which was at this period communicated to the English mind.

The same national movement produced the attempts to discover a north-west passage to the East. A settlement in Newfoundland facilitated these efforts. Sir Humphrey Gilbert, the elder brother of Sir Walter Raleigh, was the zealous supporter of schemes for pursuing discovery through the seas which he thought open to the north of America. Martin Frobisher, in two vessels of twenty-five tons each, discovered the inland sea called Hudson's Bay. About ten years afterwards he made two further voyages into the same seas, with a more considerable force, but with less accession to geography; with expectations, also, of treasure which proved to be imaginary. Sir Humphrey Gilbert himself undertook the command of a voyage of discovery, but it proved fruitless and disastrous. The largest ship deserted, under pretence of a contagious disease. The ship called the "Admiral" was lost in a storm at sea, which induced him to turn his course to England. In defiance of advice he chose to hoist his flag in a small vessel of ten tons, in which he continued to the last. In the last communication with him, during a tempest in which the sea was rolling mountains high, he called out to the commander of a larger vessel in company, "We are as near heaven at sea as on land." Shortly afterwards, it was observed from the "Golden Hind," that the lights of Sir Humphrey's little bark suddenly went out. "The watch of the 'Golden Hind,'" cried the commander, "is cast away;" which proved too true: no further tidings of Sir Gilbert or his bark were ever heard. The course of discovery was next resumed by John Davis, who, in two small vessels with forty-one men, entered the great northern sea, somewhat improperly called from his name Davis's Straits.

To pursue these voyages further would be foreign to our purpose. No reader of this age needs to be informed, that a series of voyages, honourable to British seamen, have nearly

demonstrated the northern communication between the western and eastern seas of America; and have also checked human presumption, by showing, with almost equal certainty, that, in the present state of knowledge, that communication cannot be turned into a navigable route. But the patience, perseverance, hardihood, and skill displayed by these early mariners, throw the strongest light on the character of that school in which the commanders and seamen of the English navy have been formed.

We must now turn to some notice of those more impure channels into which no small portion of the nautical enterprise of that age flowed. The number of pirates who then swarmed in the British seas may be in some degree estimated from the facility with which Bothwell collected such at Shetland; a station to which they flocked on account of its remoteness from legal authority. The records of the privy council show the multiplication of sea-robbers in the reign of Elizabeth. Twenty-two piratical cases were the subject of proceedings in that body in five years. In the following five the number was more than doubled. The subsequent decrease of these marauders must be ascribed to enlistment in naval expeditions against the American Spaniards, attracting many of the more adventurous spirits; wherein they continued to exercise their former profession, but with some accession of dignity from the grandeur of the object. The expeditions of John Hawkins, a gentleman of Devonshire, afford a melancholy instance of the fortitude of a seaman dishonoured by application to the purposes of a criminal. His own account of his slaving expeditions on the west coast of Africa will, better than any other words, characterise the deeds of blood which were long, by a prostitution of terms, called by the respectable name of trade. He begins by bewailing (as sportsmen sometimes complain of the scarcity or shyness of game) that he was not able to catch above one hundred and fifty negroes; whose countrymen had had, it seems, the insolence to kill and wound some of his crew. In this difficulty, "a negro came to us, sent by a negro king oppressed by other kings, his neighbours, desiring our aid, with a promise, that as many negroes as might by these wars be obtained should be at our pleasure. I went myself, and with the assistance of the king of our side assaulted the town by land and sea, and *very hardly with fire* (the huts being covered with dry palm leaves), and out of eight thousand souls, seized



two hundred and fifty persons, men, women, and children." The sale of these slaves to the inhabitants of Spanish America, who were forbidden to trade with foreigners, was accomplished by fraud or by arms.

The immense extent of coast of Spanish America, which the whole naval force of the world would have been insufficient to guard, opened facilities for contraband trade, which produced its natural effect on the adventurous and hardy mariners of England. A hatred against Spain was deeply rooted in the nation which had so cruelly suffered under Philip and Mary. The two governments, as we have seen, began gradually to manifest still more hostile feelings towards each other. Men of lawless character scarcely thought seriously of that principle of international law, which enjoins the members of one community to offer no violence to the members of another, as long as their governments are at peace. This refined jurisprudence was deemed wholly inapplicable to the barbarous regions where Europeans were in the habit of encountering one another. Two centuries after this period, the French and English East India companies continued to carry on war, after their respective sovereigns had concluded peace. In the time of Elizabeth the example of private war was not forgotten; and the frequency of piracy seems to indicate that hostilities by sea were not regarded as subject to the same rules with those on land. The encroachments on the Spanish colonies were made on plausible grounds, and by slow degrees. The Dutch and English ships began by being contented with trade; and the colonists, whom they supplied cheaply and plentifully with European commodities, received them. They entered a harbour under allegations, generally false, of needing water, provisions, or repairs. They set forth the amity of the two sovereigns as a sufficient reason for expecting hospitality. When by this fair language they had won their way into a haven, if they were stronger than the inhabitants, they generally ended with the most atrocious acts of rapine and murder. The complaints of a Spanish viceroy reached Madrid slowly. The negotiations for redress in London were perhaps protracted so long by contradictory averments, that the decision might be too late for any purpose, either of compensation to the sufferers, or of justice on the wrong-doers.

Francis Drake was perhaps the most distinguished among the

freebooters, whom the spirit of maritime adventure sent forth, and who afterwards signally served their country by a more honourable exercise of their knowledge and valour. His first expedition, in which he attacked Nombre de Dios, displays a most lively picture of a union of watchfulness, activity, caution, and resolution; which, though applied by him to the purposes of robbery, are still qualities by which friends are protected, enemies quelled, and men in general ruled. In a hazardous journey across the isthmus of Panama, his Indian guides showed him from the top of a high mountain the great Pacific, which no English vessel had ever entered. He secretly resolved on sailing on that sea; and with that mixture of piety, which forms so strong a contrast with his ordinary occupations, falling on his knees and lifting up his hands to heaven, implored the blessing of God upon the enterprise on which he had just determined. An event occurred in his second voyage so characteristic of the spirit and manners of the age that it seems worthy of being related in the words of an eye-witness. "In this port [St. Julian] our general began to enquire diligently into the actions of Mr. Thomas Doughty, the second in command, and found them not to be such as he looked for, but tending rather to contention or mutiny, whereby the success of the voyage might be hazarded. Whereupon the company were called together, and made acquainted with the particulars of the cause, which were found partly by Doughty's confession, and partly by the evidence of the fact, to be true; which when our general saw, although his private affection for Mr. Doughty (as he then in the presence of us all sacredly protested) was great, yet that the care he had of the state of the voyage, of the expectations of her majesty, and of the honour of his country, did more touch him (as indeed it ought) than the private respect to one man; so that the cause being thoroughly heard, and all things done in good order as near as might be to the course of our laws in England, it was concluded that Mr. Doughty should receive punishment according to the quality of his offence; and he seeing no remedy but patience, desired to receive the communion, which he did at the house of Mr. Fletcher, our minister, and our general himself accompanied him in that holy action, which being done, and the place of execution made ready, he having embraced our general, and taken leave of all the company, with prayers for the queen's majesty, and her

realm, in quiet sort laid his head to the block, where he ended his life."

The expedition of Drake has become memorable as the first in which a commander accomplished in his own person the circumnavigation of our planet. For Magalhanes, though he had perfected the practical demonstration of the earth's spherical form,—having by a western route reached the Moluccas, the navigation to which by the Cape of Good Hope had become familiar,—yet, having been killed in those islands on his return to Europe, had vindicated his own fame indeed, but without perfectly attaining his object. After an interval of sixty years, in which discovery slumbered, this achievement was now performed by Drake, who, in this respect more fortunate than the discoverer, reached in 1580 by the southern promontory of Africa the port of Plymouth, from which he had sailed three years before by the road round Cape Horn. Drake was directly encouraged in this enterprise by his sovereign, who said to him before he sailed, "We do account that he which striketh at thee, Drake, striketh at us." After his return Elizabeth dined with him on board his own vessel; on which occasion she conferred on him the honour of knighthood. The pertinency of many of the particulars which have been now related to the subsequent history of this reign, independently of their immeasurable importance as part of the history of human civilisation, will appear evident to the reader from the fact that ten years afterwards, when England was exposed to one of the most tremendous dangers which she has ever encountered, Sir Francis Drake, Sir John Hawkins, and Sir Martin Frobisher were the efficient commanders of a fleet to which the salvation of their country was intrusted.

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## B.

### RELIGIOUS PERSECUTION ON THE CONTINENT.

... The first measures of Elizabeth, conformably to the maxims of her policy at the time, were limited and guarded. Something has already been said of the proscriptive edicts of Henry the Second against his Protestant subjects who were called "Hu-



guenots." These had the house of Bourbon for their leader, while the Catholic party were headed by the house of Lorraine. At an early period of the struggle, the Protestants, who were weary of the domination of the Guises, were detected in a plan for taking the infant king out of their hands. This the opposite faction punished as a conspiracy to establish Calvinism on the ruins of the Catholic religion, and to substitute for monarchy a republican confederacy like that of the Helvetic body. Hence arose the executions, or, as the sufferers with reason called it, the massacre of Amboise; one of those daring and atrocious measures from which sanguine hopes are entertained by furious partisans, but of which the sequel is generally crowded with difficulties, and the event often most disastrous.

The revenge of the victors was peculiarly barbarous. A few particulars will suffice to characterise the opening of these unhappy wars. Orders were issued to put to death every man taken on the high road in arms. As few then journeyed without arms, most of the travelling traders were robbed and murdered. Of those who were hurried through some forms of trial, some were hanged by night from the pinnacles of castles: others, bound hand and foot, were thrown into the river, which as it passed the town seemed to be swelled by blood. The roads, says the historian, struck the eye with horror by the forest of gibbets through which they appeared to pass. Villemongey, a Protestant, as he was about to die, dipping his hands in the blood of his friends who had perished before him, lifted them up to heaven, and exclaimed,—“This, O God! is the innocent blood of thy martyrs for which thou wilt visit their destroyers.” It is a terrible feature of savage manners, that the ladies of the court carried on their accustomed gaieties amidst these scenes of horror.

Some time afterwards the slaughter of Vassy, one of the accidental meetings of parties resolved on each other's destruction, foreboded more surely the approach of civil war. Guise, on his march at the head of an armed retinue, had stopped at this small town on the borders of Champagne, where a considerable congregation of the Reformers was assembled for the purpose of worship. The insolent and bigoted followers of the prince appear to have taken fire at the sight. An armed scuffle ensued, which terminated in the cruel slaughter of the undis-

ciplined and ill-armed Huguenots; and which all French Protestants, with an exaggeration inevitable in a moment of such violence, considered as an assault on their worship, and a foretaste of the doom which was awaiting themselves.

At last the war broke out. The Protestants were most formidable in the opulent and maritime province of Normandy, where the new opinions had struck deep root. As a revolt against a regent, though directed against the royal authority, could hardly be aimed at the royal person, it became easy to represent this war, in which both parties called themselves "royalists," as a contest between the prince of Condé and the duke of Guise. Hence arose the plausibility of Elizabeth's interference in support of her fellow-religionists. By her treaty with them, which professed to be for the defence of the faithful subjects of the king of France against the Guise faction, Havre was surrendered to Elizabeth, who was to garrison it with three thousand men, and to supply three thousand more for the defence of Rouen and Dieppe. The war was short. It was closed early in the following year, by a convention at Amboise, which left the Huguenot party in a worse condition than what it had been in under the former edicts.

The English were expelled from Havre by the Protestants, to whose aid they had come; and a definitive treaty of peace was concluded, at Troyes, between Elizabeth and Charles the Ninth; in which the negotiators on the part of England, Sir Thomas Smith and Sir Nicholas Throgmorton, deserve a higher rank than history has allotted to them among the statesmen of that remarkable age.

The most memorable event which occurred during these hostilities was the assassination of the duke of Guise, a hero and a captain, who seems to have been sincere in his religion, and whose sense of public duty was not entirely swallowed up by faction and ambition. The maxims of tyrannicide began to steal into the minds of both parties. Poltrot, a Protestant, put Guise to death at the siege of Orleans; probably actuated more by a fanatical hatred of the oppressor of his faith, than yielding to the supposed suggestions of the Admiral Coligny, as Catholic writers are prone to believe. In a case where escape was nearly impossible, it is not easy to conceive how such a deed could have been proposed; and if there were any human virtues which could resist the violent passions of civil dissensions, the

accounts of Coligny, transmitted to us by those who were not his friends, might authorise us to conclude that he could not have been the instigator. "He was," says Brantôme, "prudent, deliberate, addicted to mature counsels, brave, weighing every circumstance, and loving honour and virtue above all things besides."

The atrocity of the warfare sprang partly from the object of the contending parties, who were so irreconcilable that neither could aim at anything short of the destruction of the other; partly from the circumstance that legal authority was altogether on the side of one faction; in some degree, perhaps, from the proneness of the French to enter into the feelings and to catch the passions of their fellows. To this proneness, as they owe to it many amiable and shining qualities, their urbanity and pleasantries, their quickness and vivacity, their flexibility and good humour, their companionable ease and brilliant enterprise; so, it must be owned, that they also owe a more than usual susceptibility to those epidemic passions which often hurry on multitudes to counsels and deeds abhorrent from the ordinary tenor of the temper and conduct of the individuals who compose them. The most powerful agent of all was the peculiar malignity of wars of religion; in which one party must ever regard with the greatest disgust and detestation all that is most dear and venerable in the eyes of their opponents. The Protestants regarded as idolatrous the honour paid by their forefathers to the remains and the likenesses of men accounted eminent for piety and virtue. They destroyed these monuments of supposed idolatry with unsparing rage. They profaned them in other modes more insulting and offensive than destruction itself. Nothing could be more natural than the fierce resentment kindled in the breasts of pious Catholics by such outrages offered to the objects of their most affectionate veneration. In this and other cases, shocking indignities and cruel retaliations were most practised by those members of both communions who were most influenced by religious feeling. The army of the Reformed was so powerfully controlled by religion as to exhibit a perfect model of voluntary discipline, of austere morality, and of abstinence from the ordinary vices of soldiers. But the same spirit of religion, inflamed to an intensity necessary, perhaps, to sustain them through wars of extermination, was so distorted by this application, that, instead of inspiring that love



of enemies which was its original glory, it refused to include them within the bounds of natural pity, and cast them off as unworthy of the universal offices of humanity. The atrocities perpetrated by the mareschal de Monluc, coolly, or rather gaily, related by himself, sufficiently characterise the war on the side of the Catholics, whose bigotry was lashed into activity by laws which authorised them, "at the first sound of the alarm-bell, to fall on the Huguenots, and destroy them with as little mercy as if they were beasts of prey, or mad dogs." Des Adrets, a Protestant, rivalled the cruelties of his opponents; directing, among other enormities, a garrison, which had surrendered on terms, to be thrown from the summit of high towers, where they were frequently received on the pikes of his soldiers; on pretence that the like perfidious cruelty had been practised by his opponents on the Protestant garrison of Orange; a principle of revenge which would perpetuate every horrible expedient once used in war. He afterwards became a Catholic; but the sense of his desertion subdued his military abilities, though it did not soften his fierceness.

It was not till there was some approach to a general conviction that toleration, if not justifiable on principles of religion, was become at least politically necessary, that a peace between the two factions was possible. But the truce continued disturbed by terrific rumours of the designs of the Catholic monarchs.

The second civil war lasted for two years, and the truce which followed was observed only for six months. In the third the Protestant princes of Germany took a share. It is chiefly memorable as that in which Henry, prince of Bearn, signalised his youthful prowess. The prince of Condé was defeated at the head of the Huguenot forces, and afterwards put to death in cold blood on the field of battle. Though the Huguenots were defeated at the battle of Moncontour, they obtained favourable terms by a treaty concluded soon after at St. Germain's.

At this point it seems convenient to review the projects discussed at Bayonne, which we have hitherto considered only collaterally, as they affected occurrences in the interior of Britain; and to examine the progress towards their execution in the important points of either exterminating the Calvinists of France and Flanders, or at least placing them at the mercy of their inveterate and irreconcilable oppressors. From this new point of

view it may be proper here to recapitulate some parts of what for other purposes has been scattered over various passages of the preceding narrative.

At the opening of the Lutheran Reformation, Francis the First, though he patronised the rising arts and the revived learning of his age, declared the religious novelties "to tend to the overthrow of all monarchy, human as well as divine." Sir Thomas More himself attributed the excesses of the peasants to the pestilential doctrines of Luther. Adrian the Sixth, a reformer of gross abuses, was earnestly dissuaded by Cardinal Soderini from suffering the fundamental principles of the Papal monarchy to be brought into question in a General Council. "Governments," said the cardinal, "perish when they change. The only security is to follow the examples of those holy pontiffs, who, not making vain attempts to satisfy heretics by reforms, extinguished the Albigenses and the Waldenses, by proclaiming crusades against them, by exciting princes and nations to take arms for their extermination, and by drowning all memory of their blasphemous dogmas in torrents of blood." The Pope instructed his nuncio in Germany, whom he empowered to grant moderate reforms, at the same time to remind the German princes that disobedience to the laws of the Church would bring those of the state into utter contempt; that those who had laid their hands on the property of churchmen would feel still less repugnance to the seizure of lay estates; and, finally, that the professions of the Lutherans, that they respected secular powers, were only lures to ensnare civil authorities to destruction.

Impregnated as the Italian statesmen were with these principles, it is extremely probable that they were discussed, though perhaps secretly, at the first meeting of the Council of Trent. Cardinal Pole promoted peace between France and Spain, avowedly that they might combine their counsels to restore the union of the Church. Perrenot, bishop of Arras, whose historical name is Cardinal Granvelle, persuaded Charles, cardinal of Lorraine, at secret interviews between them, that it was the duty and interest of all Catholic princes to suspend their worldly differences in order to unite for the sacred purpose of healing the breach in Christian union which had been caused by the German heresy. "The chief motive of the peace of Château-Cambresis," says a well-informed contempo-

rary, "was that the seeds of the Saxon heresy were springing up throughout France." It was the opinion of the two cardinals, that, "without a peace between the crowns of France and Spain, the Catholic religion could not long continue either in France or Flanders; so great was the increase of Protestants, who could only be suppressed by establishing an inquisition in both countries." Immediately after the conclusion of the treaty, the secret project to exterminate Protestants was betrayed to William, prince of Orange, by Henry of France, who had mistakenly supposed that the prince belonged to his party, enjoying the same favour under Philip, as he had possessed under Charles. Symptoms of concert for the suppression of the impious and seditious opinions of the age broke out in various parts of Europe. Paul the Fourth issued his tremendous bull for the excommunication and deposition of all princes affected with heresy, manifestly aimed at Elizabeth, whom he had not yet, however, the audacity to proscribe by name. During the sitting of the Council of Trent, the cardinal of Lorraine read a letter from his niece, the Queen of Scots, "submitting herself to the Council, and promising that when she succeeded to the crown of England she would subject both her kingdoms to the obedience due to the apostolic See." The cardinal excused his royal niece for not having sent prelates to the Council by the cruel necessity of having to keep terms with her heretical counsellors. The Council returned solemn thanks for a letter which, thus read in the representative assembly of Christendom, they doubtless regarded as the first-fruits of a pious concert of orthodox princes against their heretical subjects. After such a letter to so numerous a body of important men of every nation, it was impossible that the existence of a Catholic understanding on this subject should not have been universally believed.

Pius the Fourth, weary of the slow steps by which the holy allies were advancing towards an exterminating war, earnestly urged a personal interview between Catherine de Medici and Philip the Second. Philip evaded the journey, alleging his infirm health; which, with the habits of inaction and seclusion, in which he resembled his model, Tiberius, and with the convenience of gaining time for the consideration of every suggestion, was probably his real motive. Catherine, however, proceeded to the Spanish frontier, attended by her son Charles, with a splendid retinue of French, whose gaiety and brilliancy



presented a striking contrast to the Castilian grandees who formed the train of the queen of Spain and the duke of Alva. Over the gravity of the national manners of the latter, the temper of Philip had spread a deeper shade of melancholy dignity. The pretext for this meeting was that the young queen of Spain might have an interview with her mother, the queen-dowager of France. Had this been its real object, it seemed singular that the conductor of the young queen should have been Alva, a cold, stern, unbending veteran of sixty. Military sports and courtly amusements occupied during the earlier part of the day the knights of both nations. Festivity, jollity, and gallantry were blended with the dance and the song. Even the liberal pleasures of literature diversified the orgies of the licentious nobles in attendance. At the dead hour of midnight, when these, exhausted by the tournament, the table, and the dance, had retired to repose, the queen-mother held secret conferences with Alva in the apartments of her probably unconscious daughter. The British minister at Madrid announced these conferences to his court with evident alarm. "A post from Bayonne brings news of the meeting of the two queens. There are surely matters in hand of importance, for there are the president of Flanders, the council, and the secretary." The minister's inference from the presence of these grave personages was reasonable.

These conferences undoubtedly related to the most effectual means of subduing the Protestants in France and Flanders. Mutual succour was stipulated; and, in pursuance of the stipulation, actually afforded. It would be altogether incredible that, if they had been successful to this point, they could there have checked their course. The queen-mother and the duke of Alva were agreed as to the necessity of designs, both religious and political, for destroying the heretics. Alva declared for immediate extermination. He blamed the faint-hearted propositions of France, which he treated as treason to the cause of God. All the Huguenot leaders must, he said, be taken off. To this he added, that there must also be a massacre of the whole pestilential sect, as general as that of the French in Italy, known by the name of "The Sicilian Vespers." Catherine ventured to represent that measures so extreme were unsuitable to the reduced state of the royal power in France. She preferred the wiles of an Italian; expressing a wish that while she was busied

in alluring princes and lords into the ancient Church, she should, at the same time, be making preparations for chastising by arms the contumacy of the heretical populace. She had, shortly before, answered in the same manner similar proposals, which had been made to her at Avignon by the Pope's legate. The queen and Alva, however, agreeing in their object, and differing only about the means, it was not difficult to effect a compromise. It was finally determined to adopt the general principle of destroying incorrigible ringleaders. Each sovereign was to select the opportunities and modes of execution which should best suit the circumstances of his own dominions. In France, where the parties were mingled, and in some degree balanced, considerations of time and expediency were evidently more complicated. Towards suppressing the Belgic disorders, for which a Catholic army was to be sent from Spain and Italy, the same perplexities did not exist; immediate execution appeared more practicable. There is some reason to believe that the outline of this project, though couched in the smooth language of courts, was reduced to writing, and subscribed by the contracting parties. In this point the despatch from Madrid concurs with the story of the Queen of Scots having sent back a messenger to Paris, with the "bond" of the Catholic monarchs to root out heresy, the date of which was only a few months after the conference at Bayonne. It is not likely, however it might have been expressed, that it should have been understood by the parties as containing obligations less extensive than those which Mary had voluntarily imposed on herself by her letter to the Council of Trent.

The war of Spain against the Netherlands, one of the most memorable conflicts of modern times, which so soon followed the conference at Bayonne, had its source in more general and remote causes. The provinces of Lower Germany, which are watered by the Rhine, the Meuse, and the Scheldt, had been united under Charles the Fifth; whose power was, however, limited by constitutional boundaries, and balanced by the extensive authority of the provincial States, composed of the clergy, the nobility, and the representatives of the people. The great and opulent cities of the southern provinces had been the ancient seats of popular liberty, and of those commotions which often expose it to destruction. Of these, Antwerp alone, by its commercial enterprise, kept alive some sparks of the sacred

fire of the northern and maritime provinces. There the people, a daring and robust race of mariners, inured to hardship and danger, from behind their dikes and canals smiled on the fruitless advances of invaders. That the mouths as well as the sources of the Rhine should have become the sole asylum of Germanic liberty on the continent of Europe, will not appear unaccountable to those who reflect that causes almost the same may bestow on the dwellers amidst mountains, and along shores, the exalted spirit belonging to the consciousness of secure independence. The three provinces of Holland, Friesland, and Zealand were the most deeply imbued with the Lutheran doctrine of non-submission to arbitrary power. They might also have caught additional boldness from the example and opinions of England, with which they maintained an almost daily intercourse. The earliest of modern sufferers for religion were the Protestants of the Burgundian provinces. Charles began to proscribe that body of his subjects after he had holden an Imperial diet at Worms on the subject of suppressing the new heresy. He issued an edict not only for the government of the Empire, but for that of his hereditary dominions, including the Netherlands; in which, after reciting the condemnation of Lutheran heresies by the Church, he denounced the punishment of death against all who should deviate from the doctrines of the Apostolic See, or who should possess Lutheran books or harbour heretics. All men were commanded to discover those who were suspected of heresy. Solicitation for fugitives was prohibited; not excepting fathers, sons, or brothers. Even by recantation, no farther grace could be earned than that the men should be beheaded, and the women buried alive, while the contumacious expiated their obstinacy in the flames. These tremendous denunciations were speedily carried into effect. Blood began to be spilt in 1523. "From that time," says Father Paul, "to the peace of Château-Cambresis in 1558, there were fifty thousand Protestants hanged, beheaded, buried alive, or burnt in the Netherlands." Grotius, writing of a later period, estimates the number at a hundred thousand.

Slaughter like this was of itself sufficient to render any people irreconcilable whose spirit it had not utterly extinguished. Such was the strength of the Reforming spirit in the Low Countries, that every execution multiplied heretics. The mighty agency of religion was aided by many minor griev-



ances. Spanish troops were kept up in peace, in contravention of the Belgic laws. A new ecclesiastical hierarchy of three archbishops and twelve bishops was established, in the room of the foreign prelates, in whose dioceses the greater part of the Belgic territory had formerly been included; for the purpose, as the Netherlanders believed, of substituting an oppressive and persecuting prelacy, for one which was enfeebled and restrained by distance and national difference. The new prelates were also naturally dreaded, as likely to convert the States into mere instruments of the government. The abbots, whose vast domains and princely dignity had maintained the independence of the clergy, were loud in their complaints against these new slaves of the crown and oppressors of the people; whose recently-created sees had been enriched by the spoils of the ancient and magnificent monasteries. The contrast of Charles, a native Fleming, with the Spanish manners and temper of Philip, was also unfavourable to the latter; who was suspected of seriously entertaining the monstrous project, which, if his father had ever harboured it, he had been obliged by experience to renounce,—that of reducing his various dominions, and the still more various nations who dwelt in them, to one uniform model of Spanish rule and belief. The mind of Charles was adapted to a variety of institutions and manners, by his long rule over a diversity of races. Philip, on the contrary, whose Spanish education had fortified his natural qualities, had early betrayed an impatience, which sometimes broke through his dissimulation, of the constitutional resistance to his power by the Flemings, who were among the most anciently free of European nations. He embarked at Flushing for Spain, prophesying, as the event showed truly, that he should never again see the Low Countries; a prediction probably inspired by his hatred to a free people. At the moment of his sailing, he is said to have betrayed his secret thoughts in an angry conversation with the prince of Orange, whom he reproached as the prompter of the addresses for the removal of Spanish troops with which the States of the Flemish provinces had been importuning him. The prince answered humbly, that these addresses flowed from the spontaneous feelings of the States. Philip, in a transport of rage, replied, “Not the States, but thou, thou, thou!”

Notwithstanding the warnings of his most faithful and experienced counsellors, Philip resolved on introducing into the

Netherlands the most grievous part of the Spanish system, the Inquisition, of which he believed that he had sufficiently proved the efficacy, for the extirpation of heretics, by his successful employment of it in Spain. The council of the Netherlands entreated that the King would suspend the execution of his orders, on the ground that the establishment of this new tribunal would be destructive of the jurisdiction of the ancient courts, and an infraction of the fundamental laws. These remonstrances were in vain; but the manifest designs of Philip excited the same alarm, rousing the people to the same resistance, which fears from the projects of the league had produced in France. The nobility confederated against the Inquisition. They petitioned Margaret of Parma, who administered the government of the Netherlands, to obtain security against this tremendous tribunal. A great crowd, who attended Count Louis of Nassau in the presentation of the petition at Brussels, were sneered at by the courtiers as "Beggars," on account of the torn apparel of some of their numbers. The courtiers lived to regret their insolence; and their sarcastic name was adopted as a title of honour by the enemies of the Inquisition. The confederates fortified themselves in monasteries deserted by the monks. The populace assailed and destroyed the churches on account of the images, which in their eyes profaned these sacred edifices. A general confusion appeared to threaten these provinces, whilst the most formidable of enemies were about to enter the country with forces sufficient to exterminate heretics, and to reduce the Belgians to foreign servitude.

The duke de Feria, who had been Spanish ambassador in England, was proposed by the moderate party for the command in Flanders. The choice of a commander in Flanders was considered so decisive of the policy likely to be adopted, that the prince of Eboli, the most popular of royal favourites, ventured to represent to Philip the peril which might attend the appointment of Alva. The inflexible Philip made no answer. Alva's conversation on the subject of the heretical provinces was always harsh, and often savoured of blood. The poignancy of his language, and his use of national proverbs, caused his cruel phrases to be generally circulated, and easily remembered. The sentence in which he expressed, at Bayonne, his preference of the removal of chiefs to the massacre of multitudes, that "one salmon's head was worth a thousand frogs," is mentioned

by nearly all contemporaries. It was rumoured in Flanders that he had spoken of his expedition as if it had been like one of those invasions to exterminate the natives of America, which had dishonoured the Spanish name. As soon as all this was noised abroad, industry and wealth began to seek an asylum in other lands. An emigration began of Protestant manufacturers and capitalists, chiefly to England; which Alva's subsequent measures increased to such an extent, that the ancient opulence and commerce of the Flemish towns disappeared. When the employers had abandoned their country, the unemployed workmen resorted to the camp of the insurgents, where they took revenge on those whose tyranny had caused their ruin. The troops of Alva were accounted the best disciplined, and his officers the most skilful, that the modern world had seen. The sixty years which had passed over his head had enriched his experience without abating his enterprise or weakening his determination. The resistance of the ploughmen of Brabant, the manufacturers of Flanders, and the herring-fishers of Holland to so great a captain, at the head of a veteran army, seemed rather an object of derision, than one to excite apprehension.

The appointment of a commissary-general, and the choice of Serbelloni, a distinguished officer, to command the ordnance, indicated remarkable progress in the art of war. The quality and size of their muskets, which were such as had never been seen in the Netherlands, manifested their superior science. The old officers of Charles the Fifth, who had served and conquered in every country from Tunis to the Elbe, were Alva's lieutenants. He confined himself to nine thousand chosen men of the renowned Spanish infantry, and to a select body of twelve hundred cavalry, as better fitted for so long a march than a larger mass, and because they were a stock on which recruits might be safely and easily engrafted in the Burgundian provinces. This army began its march from Asti, and having crossed Mont Cenis, marched through Savoy, Burgundy, and Lorrain, to the frontiers of Luxemburg and Namur, which it reached, after having been reinforced on its march, at Thionville, by Austrian auxiliaries under Count Mansfeldt. The advance of military science was manifested by Alva's rigorous enforcement of discipline before he reached the devoted territory. In their whole march through neutral dominions, it was



their boast that no outrage had been committed except the stealing of a few sheep, for which Alva ordered three of his artillerymen to be instantly hanged. That many of the officers and soldiers on whom he most relied were Italians, is a remarkable proof of the proneness of military arts and habits to migrate from nation to nation.

Brantôme, who went to visit his old friends in the army on the frontiers of Lorraine, tells us that the bystanders looked upon them rather as an army of generals than of soldiers. He also mentions a circumstance, in appearance equally incompatible with the piety of their professions, and with the ferocity of their purpose. "Among them," says he, "were four hundred courtesans on horseback, like princesses in beauty and bravery, while eight hundred more, not to be contemned, marched on foot."

One of the earliest acts of Alva's government was to detach a body of troops into France to quell the Huguenots, whom the alarm of his expedition had roused to arms. For a time he used the popular name of the duchess of Parma, whom he was to succeed, for the purpose of quietly occupying the fortified places, as well as to draw into his snares Counts Egmont and Horn, two of the chiefs of the Netherlands, whom, with many others of the nobility, he had invited to Brussels, under pretence of a consultation on public affairs. They were imprisoned. Egmont being required to give up his sword, answered, "It has often been drawn for the king." Cardinal Granvelle, who had retired to Rome when he heard of the imprisonment, asked whether "the Taciturn" had been taken? On being answered "No;" he replied, "Alva has done nothing." Such were already the terrors of the name of the prince of Orange, who was commonly called "the Taciturn." Egmont, a descendant of the ancient counts of Holland, and Horn, the representative of the elder branch of the house of Montmorency, were considered among the Belgic patricians as second only to the prince of Orange. Both had bled and conquered for the house of Austria. In hopes of preserving peace by obtaining redress of grievances, they had both trusted themselves to the faith of Philip, by a journey to Spain. They were suffered to depart; but Horn's brother, the baron de Montigny, a deputy with the same pacific object, was secretly

put to death at Segovia, with or without the vain formality of a trial.

Alva, after the departure of the duchess of Parma, erected "a Council of troubles," which the people called "the Council of Blood." He appointed himself president; but John de Vargas, the vice-president, was the chief labourer in the scenes of blood which ensued. He was an ignorant, pitiless, and brutal Spaniard, whose cruelty seems to have been the longer remembered in the Netherlands for the jumble of bad Latin with Spanish, in which his edicts were expressed. The native counsellors, under various pretences, escaped from becoming members of so detestable a tribunal; and Viglius, the president, a lawyer of celebrity, took refuge from all share in its proceedings by becoming an ecclesiastic, which rendered it unlawful for him to vote in capital cases. The proscriptions of this murderous council are even by Catholic historians compared to those of the Roman triumvirates. Egmont and Horn, after vainly objecting to the jurisdiction of the board, were beheaded at Brussels. The rank and the popularity of both these noblemen so much interested all classes of men, that their death exasperated, instead of intimidating, the oppressed people. The emperor Maximilian had almost openly expostulated against the savage policy pursued. It was not wonderful that this signal spectacle of atrocity should have kindled a general revolt. Alva had the want of magnanimity to seize and send prisoner to Spain the count de Buren, the eldest son of the prince of Orange, then a boy of fifteen, who was pursuing his studies in the university of Louvain.

The prince of Orange collected a considerable army in Germany of foreign Protestants and exiled Flemings, of which one division under his brother Count Louis, after some successes in Friesland, was at last defeated. The main body, commanded by the prince himself, penetrated to the Meuse. Conscious that his pecuniary resources were too scanty to keep his troops long together, his object was to force Alva to action. Alva, who knew that his adversary's army would melt away as soon as his supplies had been exhausted, was content to stand on a somewhat mortifying defence against raw recruits, well knowing that winter would in no long time rid him of their presence. A campaign of positions and surprises, with incessant watchfulness on both sides, then ensued; a species of war in which

military ability is often best shown. Though in this case the Spanish commander, by the discipline of his troops and the superiority of his means of war, accomplished his purpose, yet William proved himself to be no unworthy opponent of the most renowned commander in Europe.

It was not till four years after that the prince made another irruption into the Netherlands, attended this time by a success which never afterwards entirely deserted the cause of liberty in the contest. The "beggars," besides the large party of malcontents whom the arrogance of the court of Brussels called by that name, comprehended two regular bodies, the "bush-beggars" and the "sea-beggars," whose origin may be discovered from these contemptuous appellatives. Admiral Coligny had suggested to William, at Paris, that, as Spain had no marine in the Netherlands, the seizure of a sea-port would be the most effectual means of maintaining the war. The latter, well knowing that the "sea-beggars" had lately been recruited by numerous and opulent refugees from the scaffolds of Alva, had begun to capture Spanish ships along the coast, carrying their prizes either to the Protestant city of Rochelle, or, more covertly, to the ports of England. He despatched William, count de la Marck, a man of few respectable qualities, but of a fierce valour, to prepare a small armament in the English harbours. The Spanish ambassador, at London, complained that its mooring in the Downs and at Dover was a breach of neutrality, and an offence against the treaties between the two crowns. When these complaints had been so often repeated that Elizabeth could no longer shut her eyes to the facts, but not, as it should seem, till the squadron was ready for sailing, she issued a proclamation, commanding the exiles, on a day therein fixed, to quit her harbours; on condition that the king of Spain should, in like manner, banish her rebellious subjects from his dominions. The exiles accordingly set sail for the islands which form the province of Zealand, in twenty-four small vessels; the germ of a navy which subsequently became one of the most powerful in the world. A party of them, disguised as men who had escaped from shipwreck, were suffered to steal into the small town of Brill; where being seconded by some of the inhabitants, they disarmed the Spanish garrison, and made themselves masters of the place. This gallant adventure of a few despised



exiles laid the foundation of a wise and renowned commonwealth.

Zealand and Holland declared for the prince of Orange, who gave some regularity to his administration by conducting the government in his character of "Stadtholder" or lieutenant of Holland; an office conferred on him by the king of Spain, but under colour of which he continued for many years to wage war against the armies of that country. All affairs of state were transacted, as usual, in the name of the sovereign. Arms were professedly employed only against foreign soldiers, whose presence in the Netherlands was in defiance of the fundamental laws. All public documents contained an express saving of the rights and prerogatives of the crown. Elizabeth beheld this great revolution with satisfaction; considering herself as having sufficiently performed the duty of neutrality by compliance with the above-mentioned requisition of the Spanish minister. She imposed no further restraints on the inclination of her people; a small party of whom accordingly (probably Catholics) joined the duke of Alva, while great numbers, yielding to the hereditary feeling of their name and lineage, espoused the cause of liberty.

The massacre of the Huguenots in France, to which it will soon be necessary to allude, changed the fortune of the war in the Netherlands. The successes of the Spanish arms were dishonoured by cruelties before unheard of; and excited a resistance, perhaps not to be matched in modern history. Frederic, Alva's son, began his career of blood by the massacre of old men, women, and children at Naarden. The first of those memorable defences which immortalise Holland was that of Haarlem, where the siege lasted for seven months. At the end of this period the garrison surrendered on a promise of mercy. This, however, did not prevent the Spanish general from beheading, hanging, or drowning more than sixteen hundred of the defenders, foreigners and natives, and two thousand of the townsmen. The besiegers' sense of the merit of the defence was evinced by their bestowing on the regiment which took the most active part in the siege, the titles of "Invincibles" and "Immortals." The royal army was less successful in the case of Alkmær. The garrison and inhabitants endured miseries, during their long defence, which would be incredible if they had not been better attested than most facts in history. They were reduced to preserve the lingering

wretchedness of their lives by eating the flesh of rats, cats, and dogs. Fish-skins collected from dunghills, and cow-skins cut into small pieces, were among the dishes on which they subsisted. They laboured to extract nourishment from the bones of cattle which for years had been whitening in the fields. Pestilence, as usual, followed in the train of famine. The people, however, bore all with heroic patience, consenting at last to open the sluices, so as to deluge the whole surrounding region; declaring loudly, that an injured was better than an enslaved country. At this conjuncture, a high wind arose, which was regarded as the messenger of Providence sent to deliver the brave and faithful city. By this breeze the waters were so raised as to enable the Dutch squadron to come near enough to throw supplies into the town, so that the besiegers were obliged to retire.

Amsterdam, afterwards celebrated for its zeal for civil and religious liberty, was long bridled by a Spanish garrison. Grotius strengthens his credit in the narrative of Alva's atrocities by owning that De la Marck, though a useful ruffian, had brought infamy on the cause of liberty by his treatment of Catholic priests. The former was recalled from his deplorable administration of the Netherlands, where he boasted that in six years he had slain eighteen thousand persons by the hands of the hangman. Vargas, his sanguinary instrument, when he arrived at the frontier, looking back on the provinces which had endured his rod for nine years, exclaimed, "There is a country lost by indulgence!"

A degree of cruelty is conceivable which would altogether extinguish the spirit of resistance. This extent of it, however, though it may doubtless be conceived, can hardly ever be practised. Tyrants are ignorant of the laws which limit their devastative power. Strangers to pity themselves, they know not its power over other men. Unbelievers in the force of moral indignation, it bursts upon them when they are least prepared for its manifestation. They know not that every new crime dissolves some link of that mutual trust between them and their accomplices or instruments, without which they cannot act together. Men who must more and more distrust each other, and who are doomed to end in hating themselves, cannot always preserve the necessary union and concert. The infirmities of human nature undermine the conspiracies of the wicked, perhaps, even more

than they loosen the union of the good. No man was ever so consistently depraved as never to have been visited by misgivings in a course of guilt. For the fidelity of his associates he has no other security than a common criminality. In their relations to each other, villains must live in continual dread of fraud, treachery, and destruction. The greater part of them, novices in atrocity, must be often unmanned by cowardice, and appalled by fearful anticipations that they are doomed one day to be regarded by themselves with the same abhorrence which they already read in the eyes of their fellow-creatures. They at last fall, to illustrate the eternal law which dooms the vices to perpetual discord, arms the virtues with that power which flows from unbroken harmony, and has decreed that peace and faith are blessings too sacred to be allotted to any except the good.

On Alva's recall, he was succeeded by Don Juan de Requesens, Grand Commander of Castile and Viceroy of Lombardy; a man of moderate and pacific character, who, if sent sooner, might have reconciled the contending parties. But it is the remark of contemporaries that this step towards concession had become fruitless, and perhaps mischievous, by having been delayed beyond the propitious moment. The impolicy of delay was now rendered apparent by its exposing affairs to danger from unforeseen accidents. Mutinies of the ill-paid garrisons in the Belgic towns palsied the arm of the viceroy. After his death, Don John of Austria, popular by his recent victory at Lepanto over the Turks, was sent to the Netherlands, to lure the Belgians into the snares of their oppressors. The speciousness of the project, and the recent negotiations for his marriage with the Queen of Scots, alarmed Elizabeth so much, that she determined at last openly to succour the insurgents. Accordingly, a defensive and offensive alliance between her and the States-General was concluded at Brussels; in which, besides the common conditions of so close a union, it was stipulated that the latter should conclude no treaty, nor adopt any important measure, without the assent of the Queen of England; to whose determination, in the event of internal disputes between the provinces, it was agreed that all parties should submit.

It now becomes necessary to return to an incident, which connects the civil wars of France with those of the Netherlands, and throws a strong light upon the origin of both in the treaty



of Bayonne. Shortly after the taking of Brill, count Louis of Nassau surprised Mons, a place then of great importance, from its position near the common frontier, facilitating the co-operation of the French with the Flemish Protestants. Alva was besieging this fortress, and the prince of Orange advanced to relieve it. One evening after dark, extraordinary noises, as of people in the highest state of joy and exultation, were heard proceeding from the camp of Alva. Three rounds of musketry were discharged, martial music was played, and bonfires were lighted on all the rising grounds near the encampment. The wonder of the prince and his companions was turned into horror when they learned from scouts that these military rejoicings were on account of a massacre of several thousand Huguenots, which had taken place two days before at Paris.

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### C.

#### PERSECUTION OF THE PURITANS.

. . . . . The Puritans, hitherto only a powerful and zealous party within the pale of the Church, now began seriously to meditate separation from its communion. The disputes still continued to hinge on the old questions, the vestments and other "usages" considered to savour of superstition, which formed part of the established worship. The eminent divines of this party, at the head of whom was Cartwright, professor of theology at Cambridge, seem to have been content with the connivance on the part of the authorities at their conscientious non-compliance with the directions of the liturgy. Though they held the equality of all Christian ministers to be more purely apostolic than the rank and power of prelates, they were not unwilling to wait in peace for a more perfect reformation. They were more especially ready to subscribe all the doctrinal articles of the Church, praying exemption from those only which related to discipline. Perhaps men so ardent and of so much conscious honesty would not long have contained themselves within these bounds of moderation. They would begin to consider them as compromises of conscience with conve-

nience. The experiment of lenity was, however, not made. Cartwright was deprived of his professorship.

An act was passed, subjecting all clergymen, not having received orders according to the formularies of Edward or Elizabeth, to deprivation, unless they should subscribe all the Articles, and read publicly in their parish churches the certificate of a bishop, bearing testimony that they had fulfilled that condition; without regard to a possession of, perhaps, thirteen years, and with no small disrespect towards the Protestant churches, from which the greatest part of the incumbents thus expelled, by a law substantially retrospective, had received holy orders.

1571. For many years Puritan congregations had been dispersed, and their members apprehended, on the ground that they were unlawful assemblies. It appears to have been the immediate consequence of the laws of this session, and of the spirit in which these were administered, that a formal separation from the Episcopal Church was deemed necessary to the Puritans. The "order" or "presbytery" of Wandsworth, comprehending a small number of neighbouring ministers, was now secretly formed; adopting the republican equality of the Calvinistic churches in preference to the limited and impoverished episcopacy which many of them had seen among the Lutherans of Germany and Scandinavia.

The zealous Protestants, who in the beginning of the Reformation had been called "Gospellers," in derision of their throwing open the New Testament to the ignorant, were now variously called "Puritans," or "Precisians," in ridicule of their affectation of purity in belief and practice. The Reformers everywhere diffused the practice of constant preaching; one of the means of conversion which they had most successfully employed. Elizabeth was disposed to bring back the liberty of preaching within boundaries more near those to which it had been confined in Catholic times. She caused a Book of Homilies to be composed, in order that it might be substituted by the clergy for compositions of their own. She considered the clergy as divided into two classes. The one consisted of those who had been hastily admitted to orders in a moment of need, and whom the Catholics contemptuously called the "ignorant 'mess Johns' of Elizabeth." The other was composed of learned zealots, many of whom were Puritanically affected.

Elizabeth thought that the indiscretion of the latter, and the ignorance of the former, rendered them equally unfit to be trusted with the formidable power of frequently addressing mixed multitudes from a place of authority. The expedients resorted to in order to supply the defects of inexperience and unskilfulness in the preachers, however they might answer their purpose, did not abate the jealousy with which a watchful government eyed the multiplication of opportunities of popular address.

It had become a practice for the ministers of a district to hold meetings in the churches of large towns, which received the name of "lectures," from being often expositions of passages of Scripture; of "prophesyings," in the original sense of that word in which it denoted speaking in public; and of "exercises," because they gave the young preacher the habit of speaking with ease, clearness, and order. Naturally the latter were obliged to prepare themselves by adequate study for the discussion of the meaning of difficult passages in the presence of numerous audiences. In no long time laymen began to take a part. The Hierarchy was questioned, and doctrines deemed heretical were heard. Confusion often prevailed; and the assembly proceeded from wrangling to violence. The Puritans were not so lukewarm as to be deterred by petty and worldly inconveniences, flattering themselves they should in the end conquer them. They became the leaders of these religious associations; thereby increasing the royal apprehensions of the power of popular orators over large meetings.

The severities against the Puritans seem to have partly arisen from the affectation of impartiality, which led the government to balance the rigour against Catholics by the punishment of the opposite class of offenders against the ecclesiastical laws. It happened, also, that the appearances of danger from the continental Catholics had recruited the number of the party most hostile to Rome; stimulating them to stronger opposition to the English church, which had, in their opinion, retained so much of the pretensions of the common enemy. The Puritans were neither daunted by authority nor deterred by examples of severity. Cartwright supported them with great power of logic and composition; while Johnson, the chaplain of Sir Nicholas Bacon, and Brown, the founder of the sect afterwards called "Independents," brought them an accession, indicating their



progress among the higher classes. Lord Leicester, whether instigated by ambitious hopes disposing him to pay court to the Dutch Calvinists, or considering the English Catholics as peculiarly hostile to him, patronised the party of extreme Protestants, certainly with no inducement from pure manners or religious enthusiasm. Elizabeth was mortified by the apparent success of the prophecies of the Catholics, who had foretold that the breach in the unity of the Church would lead to universal anarchy. She was also incensed at the mutiny of so large a portion of her followers. She believed, like all her contemporaries, that the formation of new bodies in the Church without her permission was as flagrant rebellion as the establishment of courts and officers of justice unauthorised by her would have been. The excesses of the continental Romanists, which were generally followed by hostility against their brethren, sometimes led to measures of rigour against the ultra-Reformers, in order to check the scandal of Protestant disunion; and sometimes to a loosening of the coalition with the most zealous anti-Catholics to save the common cause of the Reformation from danger.

1572.

The English nation was now divided into three theological and political parties: the "Churchmen," who considered the ecclesiastical revolution as already sufficient; the "Puritans," who sought a more perfect reformation by agitating the minds of the people; and the "Catholics," who, supported by all the great powers of the continent, did not despair of re-establishing the ancient church by another revolution. These sects constituted the parties of Elizabeth's reign. A considerable body of the ancient Church adhered to the Catholic religion; a still larger proportion favoured the Catholics. The strength of the Puritans lay in the great towns, always the scenes of bold discussion, and the favourite dwelling of innovation. Elizabeth's preference for churchmen was inevitable. She discountenanced the Puritans, not only for disputing her authority, but as, in her judgment, distracting the Protestant party. The season for open war against the Catholics was fast approaching.

The members of these three persuasions agreed in abhorrence of Anabaptists; a name under which were then confounded the frantic rabble who had revolted in Saxony, the sanguinary banditti who had reigned at Munster, and the variety of sects, some of ancient, though unascertained, origin, which were roused

from their torpor by the heat of the Reformation. As early, perhaps, as the days of the Waldenses and of Wycliffe, some small bodies of Christians had consoled themselves with the belief that the church described in Scripture was invisible, consisting not of members who professed the same creed, but of the true followers of Christ in all ages and nations; that this kingdom of the Messiah was inaccessible to the wicked, and independent of the frail and dangerous aid of human institutions. Connected with this doctrine was an opinion that this heavenly reign was to be one day realised upon earth; as some of the more sober believed, by the gradual diffusion of Christian virtue; or, as others more boldly imagined, by stupendous revolutions, which were to pave the way for the visible monarchy of the Messiah, and in the establishment of which they were themselves to perform a glorious part. For this part they were to be fitted by the apostolic gifts of miraculously healing distempers, and of speaking languages which they had not the natural means to acquire. The most extravagant of these sects taught "the sinless purity of true Christians; that among them there must be a community of possessions; that such a happy state neither allowed ministers in the church nor required magistrates in the state." They rejected oaths, condemned war, and represented infant baptism as a device of the devil. Many members of these sects, including probably some of the wildest, had sought refuge in England. Amongst the most noted was "The family of love;" who professed their principle to be, that religion consisted in love towards God and man. To cultivate this disposition they read the Scriptures and other writings tending to inspire it. They are said to have complied with the Catholic worship where it was established; softening its abuses by allegorical interpretation, and professing to adopt from it only that benevolence which is the living principle of all religion. Their preference of a pure mind to the best outward conduct subjected them to the insinuation of holding immoral doctrines, which was openly charged on other branches of the same race. "The family of the mount" held all things in common, denied the propriety of prayer and the resurrection of the dead, and they questioned even whether there was a heaven or a hell. As these sectaries travelled through mysticism, so "the family of the essentialists," founded by Mrs. Dunbar, a woman of

Scotland, were worked up by their conceit of having perfectly purified their souls into an universal system of immorality, holding all outward actions to be absolutely indifferent to the pure in heart. "No man sinneth," said one of them; "whatever is done, God does it all." Speculative absurdities may endure for ages; but errors immediately leading to the destruction of society are generally dissipated by an application of the test of experience.

1575.

On Easter-day, this year, a congregation of Dutch Anabaptists was surprised at Aldgate, of whom twenty-seven were committed to prison. A commission was granted to the bishop of London, assisted by civilians and judges, "to confer with the accused, and to proceed judicially if the case so required." Four of them, having recanted their doctrines, were released, after bearing lighted faggots in their hands. From the matters which they were required to abjure, "That Christ had not taken flesh of the Virgin Mary, that infants ought not to be baptized, that a Christian ought neither to be a magistrate, nor to bear the sword, nor to take an oath," it should seem that the intelligible part of their doctrines was unreasonable and inconvenient, yet they were not tainted with the worst errors of their kindred sects. Two men and ten women were convicted; of whom one woman was persuaded to forsake her opinions, eight were banished, two were condemned to be burnt, and probably in the greater part of the remaining cases the court was content with the infliction of corporal punishment. Two men, more conscientious or more courageous than their brethren, refused to buy their lives by uttering a solemn lie. For this crime they were condemned to be burnt in Smithfield. It would not have promoted the purposes of any party to encumber themselves with the defence of miserable men doomed to destruction alike by the prejudices of the vulgar, and by the policy of the powerful, whom Elizabeth was taught to consider as indispensable victims, lest she should be reproached with sparing rebels against God, while she punished traitors against her own earthly and perishable crown.

One man alone, happily above the suspicion of religious lukewarmness, had the courageous humanity to embrace the cause of a weak and obnoxious band of foreign and obscure heretics, whose gross errors he himself regarded perhaps with more than reasonable abhorrence. This man, worthy to be holden in ever-



lasting remembrance for one of the rarest acts of human virtue, was John Fox, already mentioned, the historian of the English martyrs, whom Elizabeth, in spite of his nonconformity, was want to call by the affectionate and reverential appellation of "my father Fox." The only trial of his influence over her was a letter to her, distinguished by the classical latinity of which he was no mean master, on behalf of these wretched sectaries; in which, after bewailing the necessity of breaking the silence which he had hitherto observed towards her, and declaring his abhorrence of the impious and destructive errors of the Anabaptists, he implores her in the name of Christ not to rekindle the flames of Smithfield, which under her happy administration had for seventeen years been cold. "I have no favour for heretics; but I am a man, and would spare the life of man. To roast the living bodies of unhappy men, erring rather from blindness of judgment than from the impulse of will, in fire and flames, of which the fierceness is fed by the pitch and brimstone poured over them, is a Romish abomination, which if it had not been introduced in a barbarous age by the usurping and dictatorial Innocent the Third, never could have crept into any communion professing the meek and merciful religion of the prince of Peace. There are many degrees of inferior punishment, but for the love of God spare their lives. If that cannot be, (but what should restrain the exercise of your mercy?) at least grant a long respite in which we may reclaim them from their monstrous errors." He is said to have poignantly felt the infliction of such punishment in a place consecrated by the ashes of Protestant martyrs. All his topics are not indeed consistent with the true principles of religious liberty. But they were more likely to soften the antipathy of his contemporaries, and to win the assent of his sovereign, than bolder propositions. They form a wide step towards liberty of conscience. Had the excellent writer possessed the power of showing mercy, and once tasted the sweetness of exercising it towards deluded fanatics, he must doubtless have been attracted to the practice of unbounded toleration. He gained for them only a respite. The writ "*de heretico comburendo*" was issued for the first time under Elizabeth. John Wheelmaker and Henry Toorwort, the two Anabaptists, were burnt at Smithfield, dying, says the chronicler, "with great horror, crying, and roaring." This transaction, as far as the multitude thought of it, met with their

applause. It was considered by others as an event in the ordinary course. But the first blood spilt by Elizabeth for religion forms in the eye of posterity a dark spot upon a government hitherto distinguished, beyond that of any other European community, by a religious administration, which, if not unstained, was at least bloodless.

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## D.

### PROGRESSES OF ELIZABETH: ANECDOTES OF HER.

. . . . Whilst Elizabeth was thus vigorously, though sometimes unjustly, repressing the different factions among her subjects, no ruler, perhaps, was ever watching more closely those sentiments of a quiescent and somewhat impartial nature which actuated the classes of influence. Her festivities and amusements were converted into instruments for discovering and guiding that lasting portion of national opinion. It was her custom to make annual "progresses" through the parts of her dominions not too remote from London; visiting the principal towns and chief gentry on her route. On these occasions, she was attended by a gay and brilliant assemblage of knights and ladies in gorgeous apparel mounted on coursers full of fire and grace, mixed with graver personages arrayed in a rich variety of official habits. To make her reception as splendid as possible, the people used to hang their houses sometimes with cloth of gold and of silver; thus turning the day of her arrival into a day of festival and jubilee, amusing and delighting the humblest of her people. Every graceful saying uttered by her flew through the neighbourhood, leaving an agreeable impression of her on every age and rank. During her residence at Windsor, her learning rendered her approbation of the exercises at Eton acceptable to the ambitious boys. On her visit to Cambridge, her harangues to the University announced the pupil of Roger Ascham to the academical youth. A well-timed familiarity marked her general demeanour. When on a visit to the old marquis of Winchester, who entertained her jovially at Basing, she said, "By my troth, if my lord treasurer were but a younger man, I could find in my heart to have

him for my husband, as well as any man in England." At Oxford, she rallied Dr. Humphries on his suspected puritanism, remarking, "Mr. Doctor, that loose gown becomes you mighty well. I wonder your notions should be so narrow." The harangue of the Greek professor she answered graciously in the language which it was his province to teach. It was no inconsiderable homage to the free exercise of reason that she allowed such questions to be discussed before her, as "Whether the civil commands of a sovereign are to be obeyed, and whether hereditary monarchy be preferable to that which is elective?" The value of this intercourse was often enhanced by its homeliness on one side. When the mayor of Coventry presented a handsome and well-filled purse to her, her answer was, "I have few such gifts. It is a hundred pounds in gold." "Please your grace," replied the mayor, "it is a great deal more." "What is that?" said she. "It is," said he, "the hearts of your loving subjects." "We thank you, Mr. Mayor," said she, "it is a great deal more, indeed."

The festivities which generally filled up these progresses were exhibited on a magnificent scale by her favourite Leicester, at Kenilworth Castle, of which the remains still attest the original extent and grandeur. This mansion, the fame of which has been recently spread over the world by one of those men of genius whose works have instantly become a part of the library of the whole European race, was frequently visited by Elizabeth. A brief summary of the sports and amusements which diverted the royal and noble visitors, and probably still more delighted the people, who always shared in them, will afford a faint notion of the diversity of those jarring but stirring exhibitions. No national sport was omitted. The people of all ranks were indulged in baiting bulls and bears. Italian rope-dancers, jugglers, and performers of other astonishing feats, entertained the guests and the numerous spectators. The Queen was welcomed at the entrance of the castle by one who personated "the Lady of the Lake," in the romance of "King Arthur." The highest personages assisted in the fantastic but national ceremonies of a bridal between a handsome pair of the neighbourhood. Music and dancing were the evening as hunting and fishing were the morning entertainments. The masques and pageants displayed a strange medley of Gothic romance with Grecian mythology, of allegorical persons with the heroes of legend; with a small



sprinkling of the warriors whose shadowy forms are dimly perceived on the farthest frontier of history. Jupiter and King Arthur, Saturn and Huon of Bourdeaux, Sir Eglamour and Virgil are jumbled together marvellously, and perhaps absurdly, but with a prodigality and variety which rudely foreshows the age of Shakspeare. A celebrated reciter of the time, one Captain Cox, told all the tales, and repeated all the ballads, which formed the delight of the people from Bevis of Southampton to Clym of the Clough. The citizens of Coventry and the farmers of Warwickshire were pleased with finding that the pastimes of their own winter evenings were among the chosen enjoyments of their sovereign.

Very little more can be here said on this subject. Sir Nicholas Bacon was perplexed by the offer of a royal visit, with which he declared that he knew not how to deal, having passed his time on the bench and in counsel more than at court. When Elizabeth visited him at Gorhambury, she remarked that his house was too small for him; to which he answered, "No, madam, your grace has made me too great for my house." She paid twelve visits to Cecil, each of which is said to have cost him three thousand pounds; a sum which seems incredible, if we suppose the value of money of the same denomination to have been then only four times greater than it is at present. Many complaints are extant of the burden which she thus threw upon her nobility and gentry. But there is reason to suspect that these complaints were occasionally disguised boasts of royal favours, and that the cost was in other cases amply, though not directly, compensated by the bounty of the crown.

Sir Thomas Gresham, to whom several of these visits were paid, was a person whose aggrandisement was a characteristic feature of the age. His father, the son of an ancient and opulent family in Norfolk, had applied himself to merchandise in the reign of Henry the Seventh. He enriched himself as the chief merchant and banker of Henry the Eighth. He was favourable to the new opinions in religion; as well as a remarkable example of that conquest over prejudice which shrank from traffic as derogatory to a gentleman. The son followed the footsteps of the father on the road to wealth, as banker to Edward, Mary, and Elizabeth. At the accession of the last princess, when her exchequer was low, he procured for her, on the credit of the city of London, a large loan at Antwerp, then one of the greatest

money-markets in the world. He was consulted in his province by Cecil and the council ; whom he often brought over to his more reasonable opinions on commercial questions. He, at one time, prevailed on the cautious minister to seize great sums of money, sent in Spanish ships by Philip to Alva, under the pretext that the specie belonged to certain Genoese traders, to whom the repayment was guaranteed. In the twelfth year of her reign the Queen went, in solemn and splendid procession, to dine with this great merchant ; and gave the name of "The Royal Exchange" to the handsome building which he had erected for the intercourse of traders. He displayed his mercantile magnificence at his seat of Osterly Park, near Brentford. When his intention to found a college became known, he was besieged by importunate counsellors, entreating him to choose Oxford or Cambridge, instead of London, where it was known to be his wish to place it. He showed his sagacity in adhering to his first purpose, and founded Gresham College ; which, however, has long ceased to answer any useful purpose.





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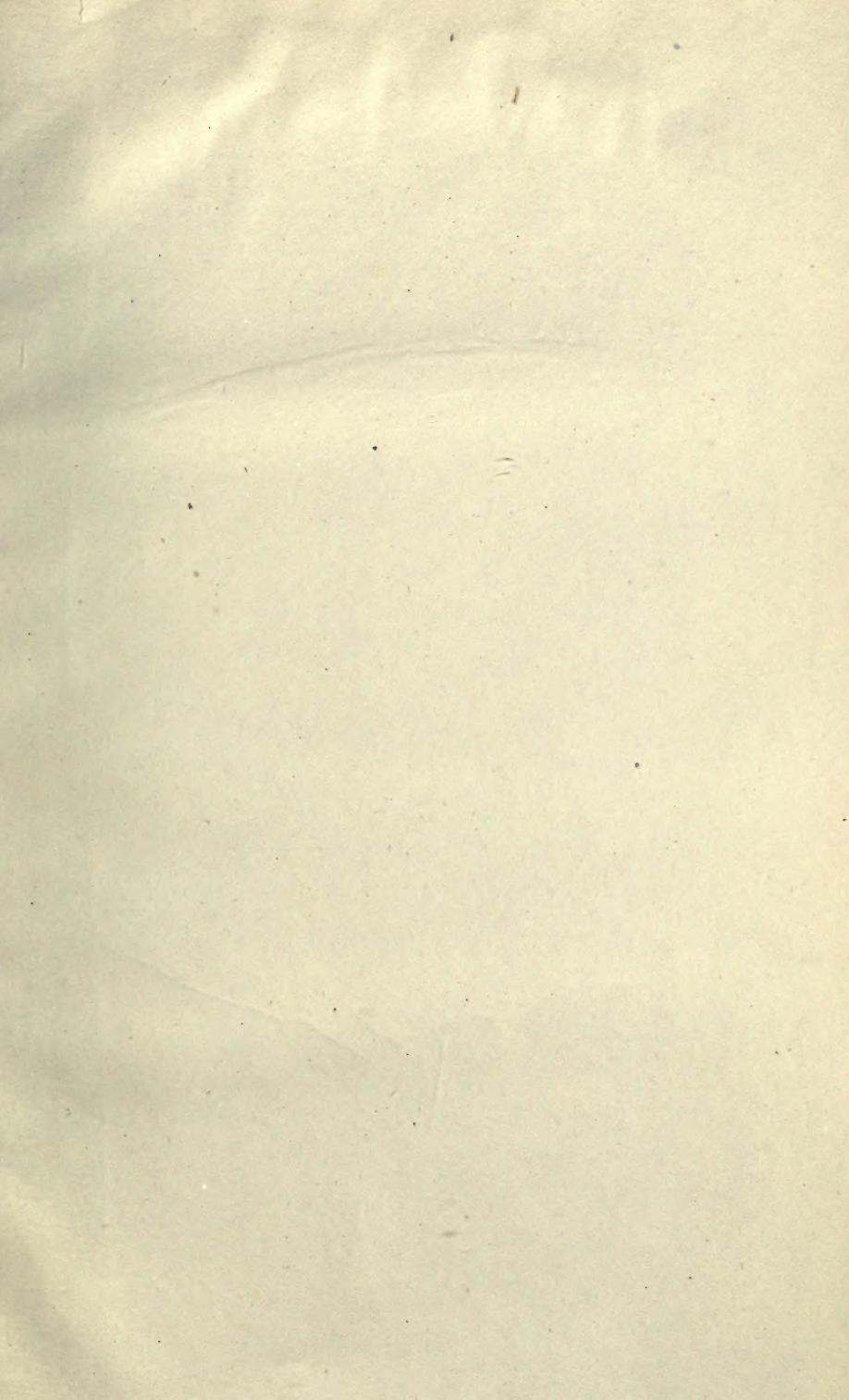
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